



W.P(MD)No.29459 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.29459 of 2025

Ilanjiyam

..Petitioner

Vs

1.The District Revenue Officer
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
CSCID-Trichy,
Pudukkottai Police Station,
Pudukkottai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to entrust the interim custody of the petitioner's vehicle by branding name Ashok Leyland Dost bearing registration No. TN 55 BR 5211 seized in connection FIR No.234 of 2025 on the file of the 2nd Respondent Police.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mrs.D.Farjana Ghoushia
Spl. Govt. Pleader (For R1)

Mr.S.Prakash
Govt. Pleader (crl side) (For R2)



W.P(MD)No.29459 of 2025

ORDER

WEB COPY

This writ petition has been filed for issuance of a Writ of Mandamus directing the respondents to entrust the interim custody of the petitioner's vehicle by branding name Ashok Leyland Dost bearing registration No. TN 55 BR 5211 seized in connection FIR No.234 of 2025 on the file of the 2nd Respondent Police.

2. Heard the learned counsel for the petitioner and Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice on behalf of the first respondent and Mr.S.Prakash, learned Government Advocate (Crl.side), who takes notice on behalf of the second respondent.

3. The petitioner is figuring as an accused in Crime No.234 of 2025, registered on the file of second respondent for the alleged offences under Section 6(4) of the Tamil Nadu Schedule Commodities (RDSCS) Order, 1962 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955. The petitioner's vehicle has also been seized and the seizure has taken place on 11.09.2025. The confiscation proceedings are yet to be initiated.

4. The Hon-ble Supreme Court of India, in more than one case, has held that detaining vehicles does not serve any purpose and being exposed to rain and sunlight, the vehicles would lose their value. Therefore, I direct



W.P(MD)No.29459 of 2025

the first respondent viz., the District Revenue Officer (DRO) to return the petition mentioned vehicle to the petitioner. Further, the following directions will protect the interest of both parties.

(a) The petitioner shall deposit a sum of Rs.5,000/~ (Rupees Five Thousand only) before the first respondent within a period of two weeks from the date of receipt of a copy of this order.

(b) The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the authority.

(c) On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the first respondent shall release the subject vehicle forthwith.

(d) The petitioner shall not use the said vehicle for any unlawful purpose and also shall not alienate the same during the pendency of the proceedings.

(e) It is open to the first respondent to initiate proceedings in accordance with law and pass appropriate orders on merits, within a period of three months from the date of receipt of a copy of this order.

(f) If no such order is passed within the time stipulated therein, the amount so paid by the petitioner shall be refunded to him.

(g) This order for release of the vehicle can be availed of by the petitioner, if the vehicle is not in the custody of Criminal Court. If the vehicle



W.P(MD)No.29459 of 2025

is in the custody of the Criminal Court, it is open to the petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.

5. This writ petition is allowed with the above directions. No costs

04.11.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

To

1.The District Revenue Officer
Pudukkottai District,
Pudukkottai.

2.The Inspector of Police,
Cscid-Trichy,
Pudukkottai Police Station,
Pudukkottai.



WEB COPY



W.P(MD)No.29459 of 2025

P.T.ASHA, J.

skn

Writ Petition(MD)No.29459 of 2025

04.11.2025