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W.P(MD)No.31730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2025

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THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.31730 of 2025

C.Manukumar

... Petitioner

Vs

1.The District Revenue Officer,
Collectorate,
Kanniyakumari District,
At Nagercoil.

2.The Inspector of Police,
CSCID Police Station,
Kuzhithurai, Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to release petitioner's MARUTI SX4 car bearing registration No.KL 08 AR 9800 seized on 01.06.2025 which is in the custody of the respondents by considering the petitioner's representation dated 16.08.2025 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.SC.Herold Singh
For Respondents : Mrs.S.Jeyapriya
Govt. Advocate (for R1)
Mr.S.Prakash
Govt. Advocate (Crl.side) (for R2)



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus to direct the respondents to release the petitioner's vehicle viz., MARUTI SX4 car bearing registration No.KL 08 AR 9800, which was seized by the second respondent on 01.06.2025, by considering the representation dated 16.08.2025.

2. Heard the learned counsel for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, 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.82 of 2025, registered on the file of second respondent/ Inspector of Police, CSCID Police Station, for the alleged offences under Section 7(1)(a)(ii) of Essential Commodities Act, 1955 and para 6(4) of Tamil Nadu Scheduled Commodities (RDCS) Order, 1982. The petitioner's vehicle has also been seized and the seizure has taken place on 01.06.2025. 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 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.



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(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 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

07.11.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

To

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At Nagercoil.

2. The Inspector of Police,
CSCID Police Station,
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P.T.ASHA, J.

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