



W.P(MD)No.33081 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.33081 of 2025

Abdulnazar

... Petitioner

Vs

1.The District Revenue Officer,
Tenkasi District, Tenkasi.

2.The Inspector of Police,
Civil Supplies Crime Investigation Department,
Tenkasi.

... 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 first respondent to release the TATA 701 Van bearing registration No.KL-07-DD-0965 seized by the second respondent on 13.09.2025 to the petitioner.

For Petitioner : Mr.T.Leninkumar

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader



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ORDER

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This writ petition has been filed for issuance of a Writ of Mandamus to direct the first respondent to release the TATA 701 Van bearing registration No.KL-07-DD-0965 seized by the second respondent on 13.09.2025 to the petitioner.

2. Heard the learned counsel for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3. The petitioner is figuring as an accused in Crime No.191 of 2025, registered on the file of second respondent, for the alleged offences under Section 25(1) of the Fertilizers Control Order, 1985 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 13.09.2025. 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 the first respondent viz., the District Revenue Officer (DRO) to return the petition



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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 is in the custody of the Criminal Court, it is open to the petitioner to approach the



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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

19.11.2025

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

To

1. The District Revenue Officer,
Tenkasi District, Tenkasi.

2. The Inspector of Police,
Civil Supplies Crime Investigation Department,
Tenkasi.



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P.T.ASHA, J.

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