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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.464 of 2026
and
W.M.P(MD)No.432 of 2026

B.Kohila

...Petitioner

Vs

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

2. The Special Tahsildar,
Flying Squad, Kanniyakumari District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to release petitioner's Ashok Leyland BADA Dost 14 TADDB Vehicle bearing registration No. TN 74 BE 8193 seized on 14-11-2025, which is in the custody of the respondents by considering the petitioner's representation dated 13-12-2025 within a time frame that may be stipulated by this Court.



For Petitioner : M/s.SC.Herold Singh
For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader

ORDER

The present writ petition has been filed for issuance of writ of mandamus as against the respondents to release the petitioner's Ashok Leyland BADA Dost 14 TADDB Vehicle bearing Registration No.TN-74-BE-8193 which was seized by the respondents on 14.11.2025.

2. Heard the learned Counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondents.

3.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.



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*(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 jurisdictional Magistrate to get release of the vehicle by filing appropriate application and the same can be considered in accordance with law.”



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4. This writ petition is disposed of with the above directions. No costs.

Consequently, connected miscellaneous petition is also closed.

08.01.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The District Revenue Officer,
Collectorate,
Kanniyakumari District,
At Nagercoil.
2. The Special Tahsildar,
Flying Squad, Kanniyakumari District.



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R.VIJAYAKUMAR, J.

RJR

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