

(2011) 06 MAD CK 0129
In the Madras High Court
Case No : Writ Petition No. 10628 of 2011

A.M. Thirupathi

APPELLANT

Vs

The District Collector Vellore, The Sub-Collector Thirupathur
and The Tahsildar

RESPONDENT

Date of Decision : 24-06-2011

Acts Referred:

Citation : (2011) 06 MAD CK 0129

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : A.R. Suresh, for the Appellant; R. Rajeswaran, Special Government
Pleader, for the Respondent

Judgement

M. Jaichandren, J.—Mr. R. Rajeswaran, the Special Government Pleader, takes notice for the Respondents.

2. This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the Respondents to release the Tractor and Trailer, bearing

Registration Numbers TN-23 AT-9598 and TN-23 AT-9553, seized by the second Respondent, on 3.3.2011, to the Petitioner.

3. In view of the averments made by the Petitioner and taking into consideration the relief prayed for by the Petitioner and since, similar orders

have been passed by this Court, the third Respondent is directed to release the Tractor and Trailer, bearing Registration Numbers TN-23 AT-

9598 and TN-23 AT-9553, to the Petitioner, on his fulfilling the following conditions:

(i) The Petitioner shall establish the ownership of the vehicle, by producing the necessary documents and the certificates, before the third

Respondent, including the R.C. Book.

(ii) The Petitioner shall not alienate the vehicle, in any manner, till the adjudication proceedings are completed;

(iii) Since, a sum of Rs. 26,000/- had already been paid by the Petitioner, with regard to the release of the vehicle in question, the said amount will

be subject to the final orders to be passed in the adjudication proceedings.

(iv) The Petitioner shall give an undertaking before the third Respondent that he shall not use the vehicle, for any illegal purpose, in future and that

he shall also produce the vehicle, as and when it is required by the third Respondent; and

(v) This order for the release of the vehicle can be availed of by the Petitioner, if the vehicle is not in the custody of the criminal Court. If the vehicle

is in the custody of a criminal Court, it would be open to the Petitioner to approach the Magistrate concerned to get the vehicle released by filing

an appropriate application, in accordance with law.

(vi) The Adjudication proceedings shall be completed by the concerned authority, within a period of two months from the date of receipt of a copy

of this order.

4. With the above directions, the Writ Petition is disposed of. No costs. Connected M.P. No. 1 of 2011 is closed.