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**(2023) 01 KL CK 0203**  
**In the High Court Of Kerala**  
**Case No : Writ Petition (C) No. 754 Of 2023**

Ansar M

APPELLANT

Vs

State Of Kerala

RESPONDENT

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**Date of Decision :** 23-01-2023

**Acts Referred:**

**Citation :** (2023) 01 KL CK 0203

**Hon'ble Judges :** Shaji P.Chaly, J

**Bench :** Single Bench

**Advocate :** Cherian Mathew Poothicote, George G.Poothicote, Ajith Villy George, Rashmi.K.M

**Final Decision :** Disposed Of

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## Judgement

Shaji P.Chaly, J

1. This writ petition is filed by the petitioner seeking the following reliefs:-

"i) Issue a writ of mandamus by directing the 2nd respondent for the immediate release of the goods carriage.

(ii) Issue a writ of mandamus by directing the respondent to ensure that the goods carriage is released in specific time frame.

2. Petitioner is the owner of the goods carriage bearing Registration No.KL-10-AY-9310. According to the petitioner, on 11.12.2022, the vehicle was seized by the Sub Inspector of the Manjeri Police Station. The case of the petitioner is that the vehicle is seized without registering a crime and it is detained by the police.

3. On instructions, learned Senior Government Pleader submitted that the vehicle is not seized. There was some quarrel by and between the petitioner and another vehicle owner which caused traffic block and therefore, the police officer attended to the same directed the petitioner to remove the vehicle so as to ease the traffic. It is also pointed out that the vehicle is found lying near the bus stand, Manjeri and the petitioner is free and at liberty to take the vehicle since

there is no seizure. It is also pointed out that the even though the Sub Inspector of Police tried to contact the petitioner, the phone was not attended.

In that view of the matter, the writ petition is disposed of leaving open the liberty of the petitioner to remove the vehicle from the existing place.