

(2011) 03 MAD CK 0249
In the Madras High Court
Case No : Writ Petition No. 5684 of 2011

P. Elumalai

APPELLANT

Vs

The Revenue Divisional Officer

RESPONDENT

Date of Decision : 17-03-2011

Acts Referred:

Citation : (2011) 03 MAD CK 0249

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : D. Sathya, for the Appellant; R. Thirugnanam, Special Government Pleader, for the Respondent

Judgement

M. Jaichandren, J.—R. Thirugnanam, the Special Government Pleader, takes notice for the Respondent.

2. This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the Respondent to release the Tractor along with Trailer

bearing Registration No. TN- 2 73-B-1522, seized by the Respondent, on 28.2.2011, 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 Respondent is directed to release the Tractor along with Trailer bearing Registration No. TN-73-B-1522, 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 Respondent,

including the R.C. Book and by the verification of the chassis number and the engine number of the vehicle concerned;

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

(iii) The Petitioner shall deposit a sum of Rs. 30,000/-(Rupees Thirty thousand only) in cash, with the Respondent ;

(iv) The Petitioner shall give an undertaking before the Respondent that he shall not use the vehicle, for any illegal purpose, 3 in future and that he shall also produce the vehicle, as and when it is required by the Respondent;

(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 the criminal Court, it is open to the Petitioner to approach the jurisdictional Magistrate to get release of the vehicle by filing an

appropriate application and the same can be considered in accordance with law; and

(vi) Adjudication proceedings shall be completed within a period of two months;

4. With the above directions, the Writ Petition is disposed of. No costs.