
(2010) 12 MAD CK 0068
In the Madras High Court
Case No : Writ Petition No. 28102 of 2010

S.K. Shukur

APPELLANT

Vs

The District Revenue Officer

RESPONDENT

Date of Decision : 14-12-2010

Acts Referred:

Citation : (2010) 12 MAD CK 0068

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : C. Prakasam, for the Appellant; S. Gopinathan, Additional Government Pleader, for the Respondent

Judgement

M. Jaichandren, J.—This writ petition has been filed praying for a Writ of Mandamus, directing the Respondent to release the lorry bearing

Registration No. AP-20-W-2327, seized by the Inspector of Police, Civil Supplies, CID, Salem District, on 25.11.2010.

2. Heard the learned Counsel appearing for the Petitioner and the learned Additional Government Pleader appearing for the Respondent.

3. By consent of both the parties, the writ petition is taken up for final hearing and disposal.

4. 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 lorry bearing Registration No. AP-20-W-2327, 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.

(ii) The Petitioner shall not alienate the vehicle, in any 3 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 given an undertaking before the 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 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 a 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.

5. The writ petition is disposed of, with the above directions. No costs.