



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.37 of 2022

S.Uma

...Petitioner

vs.

1. The District Revenue Officer,
Salem, Salem District.

2. The Inspector of Police,
Civil Supplies CID, Salem,
Salem District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to release the Lorry bearing Registration No.TN-25-M-9696 seized by the 2nd respondent on 17.12.2021 to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mrs.C.Sangamithirai,
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation and to release her Lorry seized by the 2nd respondent on 17.12.2021.

2.The case of the petitioner is that the petitioner's Lorry bearing Registration No. TN-25-M-9696 was seized by the 2nd respondent on 17.12.2021 on the allegation that it was involved in illegal transportation of PDS rice. The petitioner made representation to the 1st respondent seeking to release his vehicle and since the same has not yet been considered. Hence, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner, without prejudice to her rights and



contentions, is ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) before the 1st respondent and on such deposit being made, the 1st respondent may be directed to release the vehicle.

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4.The learned Additional Government Pleader appearing for the respondents has no serious objection.

5.Admittedly, the petitioner's vehicle was seized on the premise that it was allegedly involved in illegal transportation of PDS rice. Keeping the vehicle idle will no longer serve any purpose. Hence, this Court issues direction to release the petitioner's Lorry bearing Registration TN-25-M-9696, on the following conditions:

(i)The petitioner, without prejudice to her rights and contentions shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) before the 1st respondent within a period of two weeks from the date of receipt of a copy of this order;

(ii)The petitioner shall appear in person and produce all the relevant documents proving the ownership of the vehicle for verification of the Authority;

(iii)On receipt of payment as stated supra and also on being satisfied with the ownership of the vehicle, the 1st respondent shall release the subject vehicle, within a period of one week from the date of deposit;

(iv)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;

(v)It is open to the respondent to initiate proceedings in accordance with law and pass appropriate orders on merits, as expeditiously as possible.

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

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

skt



To:

1.The District Revenue Officer,
Salem, Salem District.

2.The Inspector of Police,
Civil Supplies CID, Salem,
Salem District.

+lcc to Government Pleader SR. No. 1624

W.P.No.37 of 2022

MT (CO)
PR (04/03/2022)