

W.P.(MD) No.21169 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.21169 of 2025

Dhanasekaran

... Petitioner

/vs./

1.The District Revenue Officer,
Theni District,
Theni.

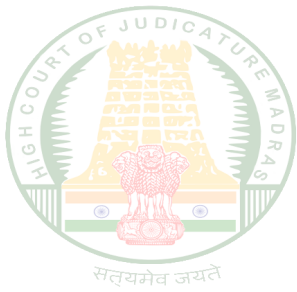
2.The Special Tahsildar,
(Flying Squad),
Theni.

3.The Inspector of Police,
CSCID, Uthamapalayam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to release the Ashok Leyland Lorry bearing registration No.TN-28-AK-8021 seized by the second respondent on 12.06.2025 to the petitioner.

For Petitioner : Mr.T.Lenin Kumar



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For R1 & R2 : Mr.D.Ghandiraj
Special Government Pleader

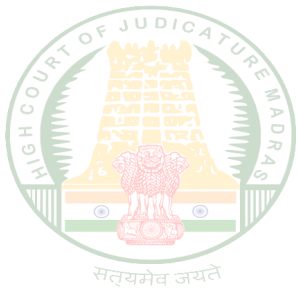
For R3 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

Mr.D.Ghandiraj, learned Special Government Pleader takes notice for the respondents 1 and 2 and Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.side) takes notice for the third respondent.

2.The writ petition has been filed for a Mandamus to direct the first respondent to release the Ashok Leyland Lorry bearing registration No.TN-28-AK-8021 seized by the second respondent on 12.06.2025.

3.The petitioner, a owner of Ashok Leyland Lorry bearing Reg.No.TN 28 AK 8021, has been arrayed as first accused in Crime No.114 of 2025 on the file of the third respondent for the offences under Section 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of Essential Commodities Act, 1955.



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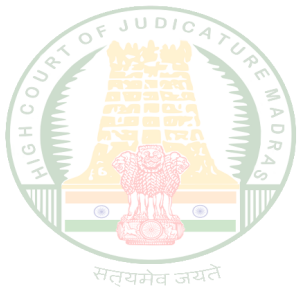
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4. According to the petitioner, the petitioner is not directly involved in the transportation of 220 bags of PDS rice (11000 kgs., equivalent to 220 x 50).

5. The learned counsel for the petitioner has drawn attention to the decision of this Court rendered in W.P.(MD) No.10281 of 2025 (*Balamurugan Vs. The District Revenue Officer and another*), dated 23.04.2025.

6. The learned counsel for the respondents confirms that the petitioner is the first accused with the third respondent, as the Driver of the vehicle, the second accused, is the actual person, who was involved in smuggling of PDS rice. It is submitted that the value of the seized vehicle is Rs.5,50,000/-.

7. Considering the same, there shall be a direction to the petitioner to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) with the first respondent for provisional release of the aforesaid vehicle and to pay a sum of Rs. 5,000/- to the credit of Rojavanam, Home for aged and Poor (payable in Account No.6481560540, Indian Bank, Madurain Bench of Madras High Court, Madurai), within a period of two weeks from the date of receipt of a copy of this order.



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8. Subject to the above compliance, the petitioner's vehicle bearing Reg.No.TN 28 AK 8021 will be released provisionally.

9. The amount of Rs.50,000/- to be deposited by the petitioner will be subject to the adjustment at the time of final confiscation proceedings to be initiated by the first respondent. The first respondent shall independently proceed with the aforesaid proceedings, as expeditiously as possible.

10. With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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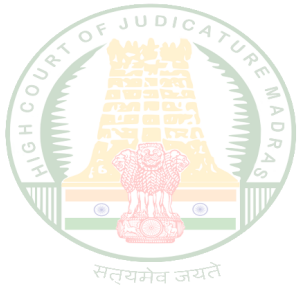
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To

1. The District Revenue Officer,
Theni District,
Theni.

2. The Special Tahsildar,
(Flying Squad), Theni.

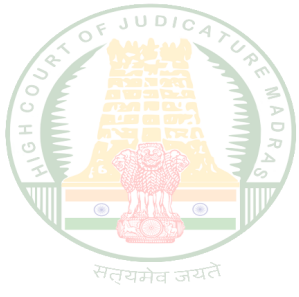
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3.The Inspector of Police,
CSCID, Uthamapalayam,
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C.SARAVANAN, J.

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