

Petitioner Vs. Respondent

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Court : Chennai Madurai

Decided On : Aug-10-2016

Judge : M. Venugopal

Appeal No. : W.P (MD) No. 12283 of 2016

Appellant : Petitioner

Respondent : Respondent

Judgement :

M. Venugopal, J.

1. Heard the Learned Counsel for the Petitioner.

2. It transpires from the averments made at para three of the affidavit filed by the Writ Petitioner inter alia to the effect that his driver has shown all the original documents viz., Registration Certificate, Insurance, Goods Carriage Permit and Permit Chit, issued for transporting gravel. But, unfortunately, without looking into such documents, mechanically, the Second Respondent / Sub-Collector, Thackalay, Kanyakumari District, had directed the Third Respondent / Tahsildar, Vilavankodu, Kanyakumari District, to drag the vehicle to the Second Respondent's Office. Accordingly, the vehicle was taken and made to be parked inside the campus of the Second Respondent's Office.

3. At this stage, the Learned Government Advocate, on instructions, informs this Court that, as the vehicle viz., 'Taras Tipper Lorry', bearing Registration No.TN-45-AL-7399 was found engaged in transportation of minor mineral, without any transit pass and in filling up the wet land with earth for making it unsuitable for cultivation, blocking the passage of irrigation channels, the vehicle was seized with the consignment.

4. In view of the divergent stand taken by the respective parties, the Second Respondent / Sub-Collector, Thackalay, Kanyakumari District, is directed to file a detailed counter traversing upon the various paragraphs of the averments found in the Writ Petition. In this regard, time is granted to the Second Respondent till 19.08.2016.

5. Registry is directed to list the matter on 22.08.2016, in the caption, 'Adjourned Admission', as a first case.

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