

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 12TH DAY OF MAY,2020/22ND VAISAKHA, 1942

W.P(C) NO.9868 OF 2020

PETITIONER

THYAGARAJ K , AGED 36 YEARS,
S/O KANTHASWAMI, VADHYARCHALLA HOUSE,
PUDUSSERY EAST, PAMPAMPALLAM POST,
PALAKKAD DT. 678622.

BY ADVOCATE SRI. SHOBY K FRANCIS [S-431]

RESPONDENTS

1. THE SUB DIVISIONAL MAGISTRATE/
REVENUE DIVISIONAL OFFICER,
OFFICE OF RDO, PALAKKAD -678001.
2. SUB- INSPECTOR OF POLICE ,
VALAYAR POLICE STATION, VALAYAR PO,
PALAKKAD DT. 678624

BY GOVERNMENT PLEADER SRI.K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 12.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

This writ petition has been filed seeking a direction to the respondents to release the tractor vehicle of the petitioner bearing registration No. KL -10 U-8768 to the interim custody of the petitioner in terms of the decision in **Shan C.T. v. State of Kerala and others** [2010 (3) KHC 333].

2. On a consideration of the matter, I am of the opinion that this writ petition can be disposed of directing the first respondent to consider Ext.P2 after hearing the petitioner within a period of three weeks from the date of receipt of a copy of this judgment. While disposing of Ext.P2, the first respondent shall take into account the declaration of law by this Court in the aforesaid Full Bench decision.

The writ petition is disposed of.

**GOPINATH P.
JUDGE**

APPENDIX

PETITIONER'S EXHIBITS.

EXHIBIT P-1. TRUE COPY OF THE SEIZURE MAHAZAR DATED 29-04-2020 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXHIBIT P-2. TRUE COPY OF THE OBJECTION CUM REQUEST FOR INTERIM RELEASE OF THE VEHICLE DATED 6-5-2020 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.