

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM

FRIDAY, THE 27TH DAY OF DECEMBER 2013/6TH POUSHA, 1935

WP(C).No. 32266 of 2013 (G)

PETITIONER

SHANAL,
S/O. ARAMUKHAN,
3/734, CHERIYAOTTOLIL,
PURATHUR, MUTTANUR, MANGALAM, TIRUR,
MALAPPURAM DISTRICT
(R.C. OWNER OF VEHICLE BEARING
REG No.KL-11/3301 – GOODS CARRIAGE)

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE
TIRUR, MALAPPURAM DISTRICT-676101.
2. THE REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT-676101.

BY GOVERNMENT PLEADER SMT. V.H. JASMINE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-12-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

AMG

APPENDIX

PETITIONERS' EXHIBITS

- EXHIBIT - P1 : TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE PETITIONER'S VEHICLE BEARING REG No.KL-11/3301.
- EXHIBIT - P2 : TRUE COPY OF THE MAHAZAR PREPARED BY THE 1ST RESPONDENT DATED 23-07-2012.
- EXHIBIT - P3 : TRUE COPY OF THE JUDGMENT DATED 1/11/2013 IN W.P (c) No.26888/2013 OF THIS HON'BLE COURT.

RESPONDENTS' EXHIBITS

NIL

True copy

P.A. To Judge

AMG

C.K. ABDUL REHIM, J.

W.P.(c) No. 32266 OF 2013-G

DATED THIS THE 27th DAY OF DECEMBER, 2013.

J U D G M E N T

Petitioner is seeking direction to 1st respondent to release his vehicle bearing Registration No.KL-11 3301, in interim custody, pursuant to seizure of the said vehicle by the 1st respondent. The petitioner relies on a Full Bench decision of this court in **Shan C.T. V. State of Kerala (2010 (3) KLT 413)**, in which guidelines are prescribed for consideration of the application for interim custody of vehicles seized alleging offences punishable under the Kerala Protection of River Banks and Regulation of Removal of Sand Act and the Rules framed thereunder.

2. It is open to the petitioner to approach the 1st respondent seeking interim release of the vehicle, pending further proceedings. If any such application is received, the 1st respondent shall consider the same and shall take an appropriate decision in view of the directions contained in

the Full Bench decision of this court in Shan C.T.'s case (supra).

3. The application if any received shall be disposed of within a period of one week, if necessary after affording an opportunity of personal hearing to the petitioner.

Sd/-
C.K. ABDUL REHIM,
JUDGE.

AMG

True copy

P.A to Judge