

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 3220 of 2013 (B)

PETITIONER:

**SURESH LAWRENCE,
CHARIVUMADOM, KODUVILA P.O.,
EAST KALLADA, KOLLAM.**

BY ADV. SRI.S.ABDUL RAZZAK

RESPONDENT(S):

- 1. THE GEOLOGIST
DISTRICT GEOLOGY OFFICE,
MINING AND GEOLOGY DEPARTMENT,
ALAPPUZHA-688 001.**
- 2. THE SUB INSPECTOR OF POLICE,
EAST KALLADA, KOLLAM-691 502.**
- 3. THE DISTRICT COLLECTOR,
CIVIL STATION, KOLLAM-691001.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 3220 of 2013 (B)

APPENDIX

PETITIONER(S) EXHIBITS:

EXHIBIT P1 : PHOTOCOPY OF THE R.C.BOOK.

EXHIBIT P2 : PHOTOCOPY OF THE GOODS PERMIT.

EXHIBIT P3 : PHOTOCOPY OF THE CASH MEMORAN IN FORM P.

RESPONDENTS' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.3220 OF 2013
.....

Dated this the 26th February, 2015

J U D G M E N T

The petitioner has approached this Court because of seizure of vehicle bearing No.KL.02-AD-8690, covered by Ext.P1 RC book alleging violation of the provisions of KMMC Rules and MMDR Act. The prayer is to cause the vehicle to be released stating that the petitioner has not committed any offence and that the sand was being transported on the strength of valid permit, a copy of which has been produced as Ext.P3.

2. The learned Government Pleader submits that the petitioner has not disclosed the entire facts in this case in so far as he had already approached the concerned Magistrate's Court where the case is pending and the learned Magistrate had ordered release of the vehicle, subject to satisfaction of a sum/fine of Rs.1,26,000/-. It was thereafter that the petitioner has rushed to this Court without satisfying the fine, by way of this writ petition. It is further submitted that the seizure was under the relevant provisions of the Kerala Protection of River Banks and Regulation of Removal of Sand Act.

3. When the matter came up for consideration before this

court on 12.02.2013, the petitioner was directed to produce a copy of the mahazar, which stands still to be complied with. This Court does not find any reason to interfere. The writ petition stands dismissed accordingly.

P.R.RAMACHANDRA MENON
JUDGE

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