

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 2819 of 2015 (B)

PETITIONER(S):

**MOHAMMED M.,
S/O. MOIDEEN HAJI, CHAKKITTAKANDI HOUSE,
AKKAPPARAMBA P.O., KIZHISSERY, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.T.K.AJITH KUMAR
SRI.SIDDIQ.K.T
SRI.P.VINODKUMAR**

RESPONDENT(S):

- 1. THE DISTRICT POLICE CHIEF,
MALAPPURAM DISTRICT, UP HILL P.O., MALAPPURAM-676 505.**
- 2. SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION, AREACODE P.O.
MALAPPURAM DISTRICT-673 644.**
- 3. KAVANOOR GRAMA PANCHAYATH,
KAVANOOR P.O., AREACODE (VIA),
MALAPPURAM DISTRICT-673 639,
REPRESENTED BY ITS SECRETARY.**
- 4. AREACODE GRAMA PANCHAYATH,
AREACODE P.O., AREACODE (VIA),
MALAPPURAM DISTRICT-673 639,
REPRESENTED BY ITS SECRETARY.**

R1 & R2 BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 2819 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P1 : TRUE COPY OF SEIZURE MAHAZAR DTD.26.12.2014.

**EXT. P2 : TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.691/2014
OF AREACODE POLICE STATION DTD.26.12.2014.**

**EXT. P3 : TRUE COPY OF THE SAND PASS NO.47930/2014 DTD.26.12.2014 FOR THE
VEHICLE NO.KL-08/AN 8287.**

**EXT. P4 : TRUE COPY OF THE CERTIFICATE DTD.6.1.2015 ISSUED BY THE
3RD RESPONDENT.**

EXT. P5 : TRUE COPY OF SEIZURE MAHAZAR DTD.29.12.2014.

**EXT. P6 : TRUE COPY OF THE FIRST INFORMATION REPORT IN CRIME NO.701/2014
OF AREACODE POLICE STATION DTD.29.12.2014.**

**EXT. P7 : TRUE COPY OF THE SAND PASS NO.52772/2014 DTD.29.12.2014 FOR THE
VEHICLE NO.KL-45/A 2358.**

**EXT. P8 : TRUE COPY OF THE CERTIFICATE DTD.6.1.2015 ISSUED BY THE
4TH RESPONDENT.**

**EXT. P9 : TRUE COPY OF THE COMPLAINT DTD.1.1.2015 WITH ACKNOWLEDGMENT
SUBMITTED BY THE PETITIONER BEFORE THE MALAPPURAM DISTRICT
POLICE CHIEF.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 2819 of 2015

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Dated, this the 29th day of January, 2015

JUDGMENT

The petitioner is the owner of the vehicles bearing Nos. **KL 08 AN 8287** and **KL 45 A 2358**. The grievance of the petitioner is mainly with regard to the illegal seizure of the vehicles by the second respondent, alleging unauthorized transportation of river sand as per Exts. P1 and P5 mahazars. The case of the petitioners is that transportation was being effected by the petitioner on the strength of valid passes issued by the concerned authority. Being aggrieved of the course and proceedings pursued by the second respondent, totally without any regard to the Rule of law, the petitioner has moved the first respondent by filing Ext. P9 complaint to conduct an enquiry and to take appropriate action against the delinquent officials. But no positive steps are taken so far. Hence the writ petition.

2. Heard the learned Government Pleader as well.

3. Considering the facts and circumstances, the writ petition is disposed of, directing the first respondent to take appropriate action on Ext. P9 complaint preferred by the petitioner and to finalize the

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: 2 :

proceedings in accordance with law, as expeditiously as possible, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the first respondent for further steps.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd