

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. 2830 of 2015 (C)

PETITIONER:

**GOPI, S/O KRISHNAN, AGED 48 YEARS,
KUZHUPPILLIL HOUSE, VARIKOLI P.O.,
THIRUVANIYUR VILLAGE, ERNAKULAM DISTRICT.
(OWNER OF A LORRY BEARING REGISTRATION
NO.KL-40-F-1336)**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
MARADU POLICE STATION,
ERNAKULAM DISTRICT - 682 301.**
- 2. THE DISTRICT COLLECTOR,
ERNAKULAM, CIVIL STATION, KAKKANAD,
ERNAKULAM DISTRICT - 682 030.**
- 3. THE REVENUE DIVISIONAL OFFICER (R.D.O),
FORTKOCHI, ERNAKULAM DISTRICT - 682 001.**

BY SENIOR GOVERNMENT PLEADER SRI.K.C.VINCENT

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

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE MAHASSAR DATED 27.12.2014 PREPARED BY THE FIRST RESPONDENT IN CONNECTION WITH THE SEIZURE OF THE VEHICLE OF THE PETITIONER.

EXHIBIT P2: TRUE COPY OF THE REPORT DATED 27.12.2014 SUBMITTED BY THE FIRST RESPONDENT BEFORE THE THIRD RESPONDENT.

EXHIBIT P3: TRUE COPY OF REPORT DATED 31.12.2014 SUBMITTED BY THE THIRD RESPONDENT BEFORE THE SECOND RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE APPLICATION DATED 8.1.2015 SUBMITTED BY THE PETITIONER BEFORE THE SECOND RESPONDENT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON J.

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Dated, this the 29th day of January, 2015

JUDGMENT

The vehicle bearing registration No. **KL 40 F 1336** (tipper lorry) belonging to the petitioner was seized by the first respondent on 27.12.2014, allegedly in connection with an offence punishable under the Kerala Conservation of Paddy Land and Wet Land Act / Rules.

2. The learned counsel for the petitioner submits that, in spite of approaching the second respondent by filing Ext. P4 representation for releasing the vehicle, no positive steps have been taken till date so as to have the proceedings finalized, which made the petitioner to approach this Court by filing the present Writ Petition.

3. Heard the learned Government Pleader as well.

4. In the said circumstances, the second respondent is directed to give interim custody of the vehicle to the petitioner forthwith, on condition that the petitioner furnishes security to an extent of 1.5 times of value of the vehicle in the form of 'bank guarantee' or immovable property to the satisfaction of the respondent and the adjudication proceedings shall be finalized in

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accordance with law, at the earliest, at any rate, within two months thereafter.

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

The Writ Petition is disposed of.

Sd/-

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

kmd