

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

WP(C).No. 4051 of 2015 (F)

PETITIONER(S):

**SUBRAMANIAN ALIAS SUPRAN,
S/O. KARUNAKARAN, AGED 40 YEARS,
KADAVILPARAMBIL, MANAPURAM. P.O.,
THAIKATTUSSERY VILLAGE, CHERTHALA TALUK,
ALAPPUZHA DISTRICT, (OWNER OF THE LORRY
BEARING REGISTRATION NO.KL-14-F-4217).**

BY ADV. SRI.P.M.ZIRAJ.

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
EDAKKARA POLICE STATION,
MALAPPURAM DISTRICT, PIN - 676 505.**
- 2. THE REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA, MALAPPURAM DISTRICT, PIN - 679 322.**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT, PIN - 676 505.**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY
KESAVADASAPURAM, PATTAM,
THIRUVANANTHAPURAM - 695 001.**

BY GOVT. PLEADER SRI.K.C. VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 4051 of 2015 (F)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1: TRUE COPY OF THE FIRST INFORMATION REPORT
DATED 01.12.2014 NO.0696 OF EDAKKARA POLICE STATION.

EXT.P2: TRUE COPY OF THE SEIZURE MAHAZAR DATED 01.12.2014
PREPARED BY THE FIRST RESPONDENT.

EXT.P3: TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DATED 16.07.2014 IN WP(C).NO. 18203 OF 2014.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.4051 of 2015

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Dated this the 9th day of February, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-14-F-4217 has been seized by the 1st respondent alleging transportation of river sand. According to the petitioner, the sand seized is only ordinary sand and not river sand. Immediately after the seizure of vehicle, the petitioner approached the 2nd respondent to get the sand tested with the 4th respondent to find out whether it is river sand or ordinary sand. In spite of repeated requests, the 1st and 2nd respondents have not taken any steps to get it done.

2. Having regard to the factual situation, this Court is of the view that this writ petition can be disposed of as under:-

The second respondent shall take the sample of the sand seized and send the same to the 4th respondent within a period of 'one week'. The 4th respondent shall send its report, based on such sample, within a period of 'three weeks'. The 2nd respondent, based on the above report shall finalise the proceedings within a period of 'two weeks' thereafter. The petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

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