

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

WP(C).No. 4350 of 2015 (P)

PETITIONER :

CHANDRAN, AGED 61 YEARS,
S/O.CHOYIKUTTY, KALIYEDATH TAZHAM HOUSE,
THALAKULATHOOR, KOZHIKODE DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS :

1. THE DISTRICT COLLECTOR,
KOZHIKODE, PIN – 673 001.
2. THE VILLAGE OFFICER,
KAKKODI VILLAGE, KOZHIKODE DISTRICT, PIN – 673 611.

R1 & R2 BY GOVERNMENT PLEADER SRI.RAFEEK.V.K

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4350 of 2015 (P)

APPENDIX

PETITIONER'S EXHIBITS :-

EXT.P1: TRUE COPY OF THE SEIZURE MAHAZAR WAS PREPARED ON 28/10/2013
BY THE 2ND RESPONDENT.

EXT.P2: TRUE COPY OF THE JUDGMENT OF THIS COURT IN
W.P.(C)No.3614/2014 DATED 06/02/2014.

RESPONDENTS' EXHIBITS :- NIL.

EXT.R1(a) COPY OF THE FINAL ORDER PASSED BY THE 1ST RESPONDENT ON
15.3.2014.

EXT.R1(b) COPY OF THE PROCEEDINGS DTD.12.5.2014.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.4350 of 2015

Dated this the 2nd day of September, 2015

JUDGMENT

The petitioner, who is the registered owner of a goods carriage bearing registration No.KL-41/4525, has filed this Writ Petition seeking a writ of mandamus commanding the 1st respondent to finalize the adjudication proceedings in respect of the seizure of the above said vehicle initiated pursuant to Ext.P1 seizure mahazar forthwith, after conducting a site inspection by the 1st respondent.

2. The grievance of the petitioner is that, in spite of the specific direction contained in Ext.P2 judgment of this Court dated 6.2.2014 in W.P.(C)No.3614 of 2014, the 1st respondent has not finalized the proceedings.

3. By order dated 11.2.2015 this Court directed the learned Government Pleader to get instructions as to why the judgment passed by this Court has not been complied with with regard to the finalisation of the proceedings mentioned therein.

4. A counter affidavit has been filed on behalf of the 1st respondent producing therewith Ext.R1(a) final order passed by the

said respondent dated 15.3.2014 and Ext.R1(b) proceedings dated 12.5.2014 by which the vehicle in question was released to the petitioner. In such circumstances, this Writ Petition is closed without prejudice to the right of the petitioner to challenge Exts.R1(a) and R1(b) proceedings, if so advised.

Sd/-
ANIL K.NARENDRA, JUDGE

skj