

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WP(C).No. 8034 of 2015 (D)

PETITIONER(S) :

**SUDHEER, AGED 42 YEARS,
S/O.VISWANADHAN, KALATHICHIRA, CHANDIROOR P.O,
ARoor VILLAGE, CHERTHALA TALUK, ALAPPUZHA DISTRICT,
(OWNER OF THE LORRY BEARING REGISTRATION NO.KL-08-X--536).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S) :

- 1. THE SUB INSPECTOR OF POLICE,
NILAMBUR 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 GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 8034 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE SEIZURE MAHAZAR DATED 13.12.2014 PREPARED
BY THE FIRST RESPONDENT.**

**EXHIBIT P2: TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DATED 09.02.2015 IN W.P.(C).NO.4051 OF 2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R.RAMACHANDRA MENON, J.

W.P.(C).No.8034 of 2015

Dated this the 13th day of March, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-08-X-536 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

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petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

Sd/-

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

rkc.