

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).NO. 12480 OF 2011 (H)

PETITIONERS:

1. OMANA, W/O.THANKAPPAN,
PINKY SADANAM, PONGA POST, NEDUMUDI,
ALAPPUZHA.
2. K.N.KRISHNAKUMAR,
REVABHAVANAM, KIDANGOOR POST, ALAPPUZHA.
3. SHANAVAS, S/O.SHARAFUDIN,
SHAJI MANZIL, PORUVAZHY POST, SHASTHANKOTTA.

BY ADVS.SRI.MATHEW JOHN (K)
SRI.DOMSON J.VATTAKUZH

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE, KEEZHVAIPUR.
2. THE DISTRICT COLLECTOR,
PATHANAMTHITTA. 689 645.
3. THE SUB COLLECTOR, [R.D.O],
THIRUVALLA. 689 645.

BY GOVERNMENT PLEADER SRI.MUHAMMED SHAFI

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AS

WP(C).NO. 12480 OF 2011 (H)

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE CERTIFICATE OF REGISTRATION IN RESPECT OF
KL-04-Q-1565.
- EXT.P2: COPY OF THE CERTIFICATE OF REGISTRATION IN RESPECT OF
KL-4-H-8407.
- EXT.P3: COPY OF THE GOVERNMENT ORDER DATED 5.4.2010.
- EXT.P4: COPY OF THE MAHAZAR DATED 31.3.2011.
- EXT.P5: COPY OF THE COMMUNICATION DATED 4.4.2011.
- EXT.P6: COPY OF THE JUDGMENT IN W.P.(C).NO.11875 OF 2011
DATED 11.4.2011.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

AS

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 12480 of 2011

Dated this the 26th day of February, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers:

“a. Call for the records leading up to Ext.P6 and to issue a writ in the nature of certiorari or any other appropriate writ, direction or order quashing Ext.P4 and P5.

b. Issue a writ in the nature of mandamus or any other appropriate writ, direction or order commanding the respondents to forthwith release the tipper lorries belonging to the petitioners bearing reg.nos. KL-4Q1565, KL-4H 8407 and KL 6C 9160 respectively.”

2. When the matter came up for consideration before this Court on 19.4.2011, the writ petition was admitted, also granting interim order to the effect that the concerned vehicles shall be produced before the competent Magistrate Court having jurisdiction within two weeks from the date of production of the order so as to have claim interim custody of the vehicle.

3. The learned Government Pleader submits that, pursuant to that order, the vehicles were produced before the concerned Magistrate's Court and were subsequently released.

This Court finds that, nothing further remains to be considered in this matter and the writ petition is disposed of without prejudice to the

proceedings which were pending before the Magistrate's Court as above.

Sd/-

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

kp/-