

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

WP(C).No. 10332 of 2014 (N)

PETITIONER(S)/PETITIONER:

- 1. SOJAN FRANCIS
THURUTHEL HOUSE, EDATHUA P O, ALAPPUZHA DISTRICT**
- 2. JOSEPH K T,
S/O.JOSEPH THOMAS, KARUVADI HOUSE, KUNTHRICKAL,
EDATHUA P O, ALAPPUZHA DISTRICT**

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

RESPONDENT(S)/RESPONDENTS:

- 1. STATE OF KERALA
REP. BY THE CHIEF SECRETARY, GOVERNMENT OF KERALA
GOVT.SECRETARIAT, THIRUVANANTHAPURAM-695 001**
- 2. DISTRICT COLLECTOR
KOTTAYAM-689 001**
- 3. DISTRICT POLICE CHIEF
KOTTAYAM-689 001**
- 4. THE SUB INSPECTOR OF POLICE,THRIKKODITHANAM
CHANGANASSERY-689 101**
- 5. DIRECTOR OF MINING AND GEOLOGY,
DEPARTMENT OF MINING AND GEOLOGY
THIRUVANANTHAPURAM-695 001**
- 6. THE ASST.ENGINEER
O/O. ASST ENGINEER, ROADS SECTION, EDATHUA
ALAPPUZHA-686 001**

R1 TO R5 BY ADV. GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AD

WP(C).No. 10332 of 2014 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1:-TRUE COPY OF THE REGISTRATION CERTIFICATE OF VEHICLE NO KL-4-Z-7775 OF 1ST PETITIONER

EXHIBIT P2:-TRUE COPY OF THE LETTER DTD 19/9/2013 OF THE EXECUTIVE ENGINEER, PWD ROADS DIVISION, ALAPPUZHA

EXHIBIT P3:-TRUE COPY OF P -FORM DTD 18/2/2014 ISSUED BY THE DEALER

EXHIBIT P4:-TRUE COPY OF THE MAHAZAR PREPARED BY THE SUB INSPECTOR OF POLICE, THRIKKODITHANAM

EXHIBIT P5:-TRUE COPY OF THE REPRESENTATION SUBMITTED TO THE 2ND RESPONDENT ON 11/3/2014

EXHIBIT P6:-TRUE COPY OF THE LETTER DTD 5/4/2014 OF THE 6TH RESPONDENT

EXHIBIT P7:-TRUE COPY OF THE PHOTOGRAPHS SHOWING THE CONDITION OF THE ROAD

EXHIBIT P8:-TRUE COPY OF THE GO(P)33/13 DTD 2/4/2013

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

AD

K.VINOD CHANDRAN, J.

W.P.(C).No.10332 of 2014

Dated this the 12th day of August, 2015

JUDGMENT

The petitioners are concerned with the seizure of the vehicles for an offence alleged under the Kerala Minor Mineral Concession Rules, 1967. The petitioners were granted release of the vehicles on payment of Rs.25,000/-. Going by the decisions in ***Digil V.Sub Inspector of Police [2013 (1) KLT 600]*** and ***Sivakumar V. State of Kerala and Another [2013 KHC 2757]***, the petitioners shall be allowed compounding if Rs.25,000/- has been paid and no further proceedings shall be taken against the petitioners.

The writ petition is allowed.

Sd/-
K.VINOD CHANDRAN
JUDGE

AD