

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 10497 of 2015 (J)

PETITIONER(S):

**NADIRSHA, AGED 22 YEARS, S/O.AZEEZ,
KIZHAKKEN HOUSE, PONASSERY P.O.,
VENGOLA VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.
(OWNER OF THE LORRY BEARING REGISTRATION NO.KL-23-K-1817).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
PERUMBAVOOR POLICE STATION,
ERNAKULAM DISTRICT, PIN-682031.**
- 2. THE REVENUE DIVISIONAL OFFICER,
MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN-682301.**
- 3. THE DISTRICT COLLECTOR, ERNAKULAM DISTRICT, PIN-682030.**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 10497 of 2015 (J)

APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE SEIZURE MAHAZAR DATED 19/3/15 PREPARED BY THE R1**
- P2: COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 9/2/15 IN WPC.4051/15.**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.10497 of 2015

Dated this the 31st day of March, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-23-K-1817 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' from the date of receipt of a copy of this judgment. The 4th respondent shall send its report, based on such sample,

within a period of 'one month'. The 2nd respondent, based on the above report shall finalise the proceedings within a period of 'one month' 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**

sp