

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

WP(C).No. 13416 of 2015 (B)

PETITIONER(S)/PETITIONER:

SANTHOSH AGED 43 YEARS
S/O.KUMARAN, CHALLIYIL, AZHEEKODE P O
AZHEEKODE VILLAGE, KODUNGALUR TALUK
THRISSUR DIST(OWNER OF THE LORRY BEARING
REGISTRATION NO KL 17-D-2496)

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S)/RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE
KODUNGALLUR POLICE STATION, THRISSUR DIST, PIN-680001

2. THE REVENUE DIVISIONAL OFFICER
THRISSUR, THRISSUR DISTRICT 680001

3. THE DISTRICT COLLECTOR
THRISSUR DISTRICT PIN-680001

4. THE DIRECTOR
MINING AND GEOLOGY, OFFICE OF THE MINING AND GEOLOGY
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695001

BY GOVERNMENT PLEADER SRI.NOUSHAD THOTTATHIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 13416 of 2015 (B)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:-TRUE COPY OF THE SAID ORDER OF THE 2ND RESPONDENT DTD 29/7/2014

P2:-TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DTD 9/2/2015

IN WPC NO 4051 OF 2015

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

P.V.ASHA, J

W.P(C).No.13416 of 2015

Dated this the 5th May, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-17-D-2496 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 petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

P.V.ASHA, JUDGE

vgs5/5/15