

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 3RD DAY OF JULY 2015/12TH ASHADHA, 1937

WP(C).No. 13549 of 2015 (P)

PETITIONER:

**RAMLA, AGED 40 YEARS,
W/O. MUHAMMED IQBAL,
PACHATH HOUSE, MUTHUR P.O,
MALAPPURAM DISTRICT.**

BY ADV. SRI.K.DILIP

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO THE GOVT.,
REVENUE DEPARTMENT GOVT. SECRETARIAT,
THIRUVANANTHAPURAM - 695001.**
- 2. THE SUB INSPECTOR OF POLICE,
CHANGARAMKULAM POLICE STATION - 676101.**
- 3. THE CIRCLE INSPECTOR OF POLICE,
PONNANI - 676101.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 13549 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: A TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE
 BEARING NO. KL-11-AA-9818 DATED 26.2.2008.**
- EXT.P2: A TRUE AND SELF ATTESTED COPY OF THE DRAFT DATA BANK
 DATED NIL.**
- EXT.P3: A TRUE COPY OF THE SEIZURE MAHAZAR DATED 25.4.2015.**
- EXT.P4: A TRUE COPY OF THE REPRESENTATION FILED BEFORE THE
 3RD RESPONDENT DATED NIL.**
- EXT.P5: A TRUE COPY OF THE APPLICATION SUBMITTED BEFORE THE
 2ND RESPONDENT DATED NIL.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

K. VINOD CHANDRAN, J.
=====

W.P.(C) No.13549 of 2015 - P
=====

Dated this the 3rd day of July, 2015

J U D G M E N T

The petitioner is before this Court challenging the seizure of the vehicle made under the Kerala Conservation of Paddy Land and Wet Land Act, 2008 (for brevity, Act of 2008). This Court had directed release of the vehicle on payment of Rs.25,000/-. However the specific allegation raised in the writ petition is with respect to the violation of provisions of the Act of 2008. The provisions of seizure and release of vehicle has to concede to Section 20 of the Act of 2008. The power is conferred on the Collector to initiate confiscation proceedings and there is also a provision by which the Collector can release the vehicle on interim custody after taking 1½ times of the value of the vehicle.

2. In such circumstance, the petitioner shall produce

W.P.(C) No.13549 of 2015 - P

the vehicle before the Sub Inspector of Police, the 2nd respondent herein, within two weeks from the date of receipt of the certified copy of this judgment. The Sub Inspector of Police shall transmit the papers to the Collector for further consideration under Section 20 of the Act of 2008. If the vehicle is not produced within the time specified herein, then the same shall be liable for seizure. It is made clear that any interim order or final orders passed by the District Collector, shall take into account the payment of Rs.25,000/- made as per the interim order of this Court, on which the vehicle was released; on production of the receipt of such payment.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.