

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14387 of 2015 (W)

PETITIONER(S) :-

1. JOSE AGED 33 YEARS
S/O.SASI, PERUMPALLIKANAM PUTHENVEEDU
KUDAPPANAMOODU P.O, PIN: 695 505.
2. RAJAN, AGED 37 YEARS
S/O.MARKOSE, KUTTIKKADU MEKKUMKARA VEEDU, NARANI
KUNNATHUKAL.
3. ANEESH KUMAR, AGED 34 YEARS
S/O.GANGADHARAN, KALLUVILAVEEDU, MELAMMAKAM
PLAMOOTTUKADA P.O., CHENKAL.
4. VIJAYA KUMAR, AGED 45 YEARS
S/O.NESAN, PANAGOTTUVILA PUTHENVEEDU, KEEZHKOLLA
VATTAVILA P.O., CHENKAL.
5. BINU, S/O.SIVARAJAN, B.S.SADANAM, PUTHUVAL
KAZHIVoor P.O., KANJIRAMKULAM - 695 526.
6. SAJI KUMAR, AGED 35 YEARS
S/O.VARGHESE NADAR, BINIL BHAVAN, KOTTAYKAKAM
KULATHOOR P.O., PARASSALA
7. SANUMATHI, AGED 51 YEARS
W/O.SATHYARAJ, MEKKINKARA PUTHENVEEDU, KEEZHKOLLA
CHENKAL, VATTAVILA P.O., PIN: 695 132.
8. JOY PRAKASH, AGED 39 YEARS
S/O.P.K.ENACE, KALLUMELKONAM, NEDIYAMKODE
DHANUVACHAPURAM P.O.
9. JOHN WILSON, AGED 48 YEARS
S/O.DEVADASAN, THUDALIKKALA, MANKALA, MELPPALAI P.O.
10. DEVANESAN, AGED 40 YEARS
S/O.MARKOSE, KUTTIKKADU MEKKUMKARA VEEDU, NARANI
KUNNATHUKAL

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11. RAJAMANI, AGED 47 YEARS
S/O.MUTHUNAYAKAM, RAMYA BHAVAN, VENKADAMPU
KULATHOOR.

BY ADV. SRI.R.T.PRADEEP

RESPONDENT(S) :-

1. DISTRICT COLLECTOR
COLLECTORATE, CIVIL STATION, KODAPPANAKKUNNU
THIRUVANANTHAPURAM - 695 004
2. DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF DEPUTY SUPERINTENDENT OF POLICE
NEYYATTINKARA - 695 121.
3. SUB INSPECTOR OF POLICE,
VELLARADA POLICE STATION, VELLARADA
TRIVANDRUM - 695 505.

BY GOVERNMENT PLEADER SRI.MOHAMED SHAFI M.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

APPENDIX

PETITIONER(S) ' EXHIBITS :-

P1: TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 4/12/2012
PERTAINING TO THE LORRY OF 1ST PETITIONER.

P2:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 8/4/2011
PERTAINING TO THE LORRY OF 2ND PETITIONER.

P3:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 6/12/2006
PERTAINING TO THE LORRY OF 3RD PETITIONER.

P4:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 20/3/2012
PERTAINING TO THE LORRY OF 3RD PETITIONER.

P5:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 18/4/2007
PERTAINING TO THE LORRY OF 4TH PETITIONER.

P6:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 29/11/2011
PERTAINING TO THE LORRY OF 5TH PETITIONER.

P7:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 6/6/2008
PERTAINING TO THE LORRY OF 6TH PETITIONER.

P8:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 6/6/2007
PERTAINING TO THE LORRY OF 6TH PETITIONER.

P9:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 25/9/2006
PERTAINING TO THE LORRY OF 6TH PETITIONER.

P10:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 6/7/2011
PERTAINING TO THE LORRY OF 7TH PETITIONER.

P11:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 29/9/2008
PERTAINING TO THE LORRY OF 8TH PETITIONER.

P12:TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 23/1/2013
PERTAINING TO THE LORRY OF 9TH PETITIONER.

P13: TRUE COPY OF THE CERTIFICATE OF REGISTRATION DATED 30/6/2011
PERTAINING TO THE LORRY OF 10TH PETITIONER.

P14:TRUE COPY OF SALE NOTE DATED 19/4/2015 PERTAINING TO THE
LORRY OF 11TH PETITIONER.

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P15: TRUE COPY OF THE SEIZURE MAHZER DATED 5/5/2015 BY 2ND RESPONDENT.

P16: TRUE COPY OF THE REPORT DATED 5/5/2015 BY WHICH THE SEIZURE IS REPORTED TO DISTRICT COLLECTOR.

P17: TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 1ST PETITIONER.

P18: TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 2ND PETITIONER.

P19:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 3RD PETITIONER.

P20:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 3RD PETITIONER.

P21:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 4TH PETITIONER.

P22:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 5TH PETITIONER.

P23:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 6TH PETITIONER.

P24:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 6TH PETITIONER.

P25:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 6TH PETITIONER.

P26:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 7TH PETITIONER.

P27:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 8TH PETITIONER.

P28:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 9TH PETITIONER.

P29:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 10TH PETITIONER.

P30:TRUE COPY OF THE APPLICATION DATED 5/5/2015 BY 11TH PETITIONER.

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P31:TRUE COPY OF THE JUDGMENT DATED 31/5/2013 IN WPC
NO.13840/2013 BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

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Dated this the 12th day of May 2015

J U D G M E N T

Petitioners' vehicles have been seized by the second respondent as per Ext.P15 seizure mahazar in contravention of the Kerala Mines & Minerals Concession Rules, 1967. The petitioners now express their willingness to compound the offence.

2. If that be so, the petitioners shall file applications before the second respondent along with payment of ₹25,000/- (Rupees twenty-five thousand only) on each vehicle. There shall be a direction to the second respondent to permit the petitioners to compound the offence on payment of ₹25,000/- (Rupees twenty-five thousand only) on each vehicle. The second respondent shall release the vehicles to the petitioners forthwith on payment as above. Needless to say, once the offence is compounded, no prosecution proceedings shall be initiated against the petitioners in respect of the incident which led to the instant writ petition. If a report has already

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been lodged in the competent criminal court, a further report to the effect that the offence has been compounded shall also be filed.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

Jvt