

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.14397 of 2015 (Y)

PETITIONER:

**PRAKASHAN,S/O.AMBADY,AGED 38 YEARS,
KUNNIRETHU HOUSE,CHATHAMATH P.O.
OWNER OF TIPPERS BEARING NO.KL-60-C-9036,
KL-13-Q-1267 & JCB BEARING NO.KL-14-E-9692.**

BY ADV.SRI.S.SHAJAHAN (ADOOR)

RESPONDENT:

**THE SUB INSPECTOR OF POLICE,
CHEEMENI,KASARGODE DISTRICT - 671 313.**

BY GOVT. PLEADER SRI.MOHAMMED SHAFFI.M.

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

pk

WP(C).No.14397 of 2015 (Y)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1 - THE TRUE COPY OF THE COMPOUNDING APPLICATION MADE BY THE
PETITIONER.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.14397 of 2015
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Dated this the 12th day of May, 2015

JUDGMENT

Petitioner approached this Court for release of the vehicles bearing registration Nos.KL-60-C-9036, KL-13-Q-1267 and KL-14-E-9692. No mahazar is seen produced. Petitioner's case is that the vehicles have been seized alleging violation of the provisions of the Mines and Minerals (Development and Regulation) Act, 1957. He seeks to compound the offence under Rule 60A (1) of the Kerala Minor Mineral Concession Rules, 1967 before the respondent, Sub Inspector of Police. Petitioner expressed his willingness to compound the offence.

2. In view of the above, there shall be a direction to the respondent to release the vehicles to the petitioner on payment of ₹25,000/- (Rupees Twenty Five Thousand Only) by the petitioner on each of the vehicles. On payment of the amount as above, the vehicles shall be released to the petitioner forthwith by the respondent. If any crime has been registered against the petitioner, the respondent shall report the composition of the offence before the competent Court. It is made clear that if petitioner's vehicles are involved in any other offence other than Kerala Mines and

Minerals (Development and Regulation) Act, 1957, the directions in the judgment need not be complied with and petitioner shall be proceeded with in accordance with law.

The Writ Petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/13/05/15