

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. 14406 of 2015 (A)

PETITIONER:

**RAGHU P.S., S/O.SUBRAHMANIAN,
AGED 35 YEARS, PURAVANATH HOUSE,
MALAYATTOOR P.O., NEELEESWARAM VILLAGE,
ALUVA TALUK, ERNAKULAM DISTRICT
(OWNER OF THE LORRY BEARNG REGISTRATION
NO.KL.5-V-4276)**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
NILAMBUR POLICE STATION,
MALAPPURAM DISTRICT, PIN - 676 505.**
- 2. THE REVENUE DIVISIONAL OFFICER,
PERINTHALMANNA,
MALAPPURAM DISTRICT, PIN - 679 322.**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT, PIN - 676 505.**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM,
THIRUVANANTHAPURAM - 695 001.**

BY GOVERNMENT PLEADER SRI.A.MOHAMMED SAVAD

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

mbr/

WP(C).No. 14406 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT P1. TRUE COPY OF THE FIRST INFORMATION REPORT NO.0337
DATED 26.03.2014 OF NILAMBUR POLICE STATION.**

**EXHIBIT P2. TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DATED 09.02.2015 IN WPC NO.4051 OF 2015.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14406 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-05/V 4276 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 alongwith a copy of this writ petition before the 2nd respondent for further steps.

JV

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE