

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. 14409 of 2015 (A)

PETITIONER :

**SAMAD, S/O SIDDQUE, AGED 24 YEARS,
NAMPARA, KODUNTHIRAPULLI P.O.,
PIRAYIRI VILLAGE, PALAKKAD TALUK, PALAKKAD DISTRICT,
(OWNER OF A LORRY BEARING REGISTRATION NO.KL-5-X-2842).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE VILLAGE OFFICER,
PIRAYIRI VILLAGE, PALAKKAD DISTRICT-678 004.**
- 2. THE DISTRICT COLLECTOR,
PALAKKAD DISTRICT-678 004.**

BY GOVERNMENT PLEADER SRI.M.MOHAMMED SHAFI

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

sts

WP(C).No. 14409 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE MAHASSAR DATED 19.3.2015 PREPARED BY THE
FIRST RESPONDENT IN CONNECTION WITH THE SEIZURE OF THE
VEHICLE OF THE PETITIONER.**

**EXHIBIT P2: TRUE COPY OF THE ORDER DATED 31.12.2011 ISSUED BY THE
CHAIRMAN, DISTRICT LEVEL AUTHORIZED COMMITTEE, PALAKKAD.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14409 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

Petitioner is the owner of a lorry bearing registration No.KL-05/X-2842. Petitioner submits that the land mentioned in Ext.P1 is a converted land. Petitioner, however, without obtaining necessary permission transported ordinary earth to fill the land and the vehicle has been seized and the vehicle is in custody of the 1st respondent.

2. In view of the above, there shall be a direction to the 2nd respondent to release the vehicle to the petitioner on payment of ₹.25,000/- (Rupees Twenty five thousand only) by the petitioner on the vehicle after verifying data bank. On payment of the amount as above, the vehicle 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 petitioner shall be permitted to compound the offence, only if the property referred in Ext.P1 is not paddy or

wet land under the provisions of Kerala Conservation of Paddy Land and Wet Land Act, 2008 (Act 28 of 2008).

The Writ Petition is disposed of as above.

SD/-
A. MUHAMED MUSTAQUE,
JUDGE

JV