

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. 14415 of 2015 (B)

PETITIONER(S):

1. FRANKLIN K.JOY,
S/O.JOY, KIZHAKKETHENATTUMoola, THENGODE
THENGODE P.O, KAKKANAD, ERNAKULAM DISTRICT
PIN-682 030.
2. GEORGE AUGUSTINE,
S/O.AUGUSTINE, VALIYAKUNNEL, BLAYIL KADAVU ROAD
CHERNELLORE, ERNAKULAM.
3. SREENI,
S/O.KUTTAPPAN, URALUKUTHIPARA HOUSE, THENGODE P.O
KAKKANAD, ERNAKULAM DISTRICT, KOCHI-682 030.

BY ADV. SRI.G.G.MANOJ

RESPONDENT(S):

1. THE REVENUE DIVISIONAL OFFICER,
ERNAKULAM.
2. THE SUB INSEPCTOR OF POLICE,
CHERANELLORE POLICE STATION, CHERANELLORE,
ERNAKULAM DISTRICT.

BY GOVERNMENT 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:**

PJ

WP(C).No. 14415 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHBIIT P1 THE PHTOOCOPY OF THE FORM OF NOTICE OF TRANSFER OF
OWNERSHIP OF THE VEHICLE ISSUED BY THE PETITIONER NO.2**

**EXHBITI P2 THE PHOTOCOPY OF THE REGISTRATION CERTIFICATE IS ISSUED IN
FAVOUR OF THE PETITIONER NO.1**

**EXHBITI P3 THE PHTOOCOPY OF THE SEIZURE MAHAZAR DATED 06-05-2015
PREPARED BY THE RESPONDENT NO.2**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMMED MUSTAQUE, J.
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W.P(C).No.14415 of 2015
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Dated this the 12th day of May, 2015

JUDGMENT

The first petitioner is the registered owner of vehicle bearing registration No.KL-07-BV-1647. The first petitioner's case is that the vehicle has 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, before the 2nd respondent, Sub Inspector of Police. The first petitioner expressed his willingness to compound the offence.

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