

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. 14422 of 2015 (C)

PETITIONER :

**JASID, AGED 26 YEARS,
S/O.ALAVI, VALEPARAMMAL HOUSE, CHERUVADI,
KODIYATHOOR VILLAGE, CHERUVADI PO, KOZHIKKODE TALUK,
KOZHIKKODE DISTRICT
(OWNER OF THE NISSAN TIPPER LORRY BEARING
REGISTRATION NO. KL 57 A 1757)**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS :

**1. THE SUB INSPECTOR OF POLICE, MUKKAM POLICE STATION,
KOZHIKKODE DISTRICT, PIN - 673647**

**2. THE REVENUE DIVISIONAL OFFICER,
KOZHIKKODE, KOZHIKKODE DISTRICT, PIN 673647**

**3. THE DISTRICT COLLECTOR,
KOZHIKKODE DISTRICT, PIN 673647**

**4. THE DIRECTOR
MINING AND GEOLGOY, OFFICE OF THE MINING AND GEOLOGY
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM 695001**

R1 TO R4 BY SENIOR GOVERNMENT PLEADER SRI. MOHAMMED SAVAD

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

bp

WP(C).No. 14422 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DATED 09.12.2014 IN WPC.NO.33095/2014.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14422 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner's vehicle bearing registration No.KL-57/A 1757 has been seized alleging transportation of river sand. The petitioner's case is that this is not a river sand. The petitioner submits that sample has already forwarded by the second respondent to the fourth respondent for report. In view of the above, the fourth respondent shall send report based on analysis within two weeks to the second respondent. Thereafter based on the report from the fourth respondent, proceedings for confiscation shall be concluded within a further period of two weeks after affording an opportunity to the petitioner by the second respondent. Till a decision is taken as above, the petitioner shall not be arrested in connection with the crime registered in this case.

The Writ Petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE