

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 9TH DAY OF JUNE 2015/19TH JYAISHTA, 1937

WP(C).No. 17184 of 2015 (W)

PETITIONER(S):

**M/S. INDUS IND BANK LTD.,
HAVING ITS REGIONAL OFFICE AT 'RAMA BHAVAN'
PARUTHELI PALAM, TOLL JUNCTION,
EDAPALLY, KOCHI - 682 024
REPRESENTED BY ITS DEPUTY MANAGER (LEGAL) AJAY.M**

**BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN HARIHARAN**

RESPONDENT(S):

- 1. THE RANGE FOREST OFFICER,
OFFICE OF THE RANGE FOREST OFFICER,
KANTHALLOOR RANGE, KOVILKADAVU, SAHAYAGIRI P.O,
IDUKKI DISTRICT- PIN: 685 620.**
- 2. THE AUTHORISED OFFICER AND THE DIVISIONAL FOREST OFFICER,
SANDAL FOREST DIVISION, MARAYOOR, IDUKKI DISTRICT,
PIN: 685 620.**
- 3. RAMLA MUHAMMED,
W/O.MUHAMMED, AZHUTHANIKKATTU HOUSE, KOVILKADAVU,
MARAYOOR, IDUKKI DISTRICT, PIN: 685 620.**

**R1 & 2 BY SPL. GOVERNMENT PLEADER SRI.M.A.THOMASKUTTY
R 3 BY SRI.M.P.MADHAVANKUTTY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AD

WP(C).No. 17184 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE JUDGMENT MADE IN W.P.C NO.18725/2014 DATED
24/7/2014.**

**EXHIBIT P2: TRUE COPY OF THE APPLICATION DATED 17/7/2014 FILED UNDER
SECTION 61A OF THE FOREST ACT BY THE PETITIONER BEFORE THE
2ND RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF THE COMMUNICATION DATED 7/3/2015 SENT BY THE
2ND RESPONDENT**

**EXHIBIT P4: TRUE COPY OF THE ORDER NO.A1/710/14 DATED 19/6/2014 MADE BY
THE DIVISIONAL FOREST OFFICER, MARAYUR SANDAL DIVISION**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A. TO JUDGE

AD

K.VINOD CHANDRAN, J.

W.P.(C).No.17184 of 2015

Dated this the 9th day of June, 2015

JUDGMENT

The petitioner claims a remand on the confiscation proceedings concluded as per Ext.P4 on the short ground that, the petitioner was granted an opportunity of hearing by Ext.P1 judgment .

2. Admittedly, the petitioner is the financier of a vehicle bearing registration no. KL-7BQ 9107. The vehicle was admittedly seized by the Commissioner of Forest and confiscation proceedings were initiated which stands concluded by Ext.P3. The petitioner before this court contending that, the petitioner is the financier of the vehicle, should also be heard before finalising confiscation proceedings. This Court granted the prayer in Ext.P1.

3. What assumes significance is that, even before Ext.P1 judgment dated 24.07.2014, Ext.P4 confiscation proceedings were finalised as on 19.06.2014. The petitioner contends that the order was issued only

much later. Even then no right can be claimed on the basis of Ext.P1 judgment. Obviously there is an appellate remedy available for the petitioner to challenge Ext.P4. Leaving the petition to avail such remedy, the writ petition would stand dismissed.

Sd/-
K.VINOD CHANDRAN
JUDGE

AD