

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

WP(C).No. 18221 of 2015 (C)

PETITIONER :

**U.K. MONU,
M/S. U.K. MONU TIMBERS, KANACHUR VILLA,
UNIVERSITY ROAD, DERALAKATTE -574 160,
MANGALORE, KARNATAKA STATE,
REPRESENTED BY POWER OF ATTORNEY HOLDER
MOHAMMED SHALI.**

**BY ADV. SRI.HARISANKAR V. MENON
SMT. MEERA V. MENON**

RESPONDENT(S):

- 1. THE FOREST RANGE OFFICER,
PERIA, KASARGOD DISTRICT, PIN-671 314**
- 2. THE DIVISIONAL FOREST OFFICER,
NORTH WAYANAD DIVISION,
MANANTHAVADY, WAYANAD DISTRICT- 670 645**
- 3. THE CHIEF CONSERVATOR OF FORESTS,
NORTHERN CIRCLE, KANNUR.**

BY SPL.GOVERNMENT PLEADER (FOREST) SRI.M.A.THOMASKUTTY

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: COPY OF SHAW CAUSE NOTICE ISSUED BY THE 2ND RESPONDENT,
DATED 29/05/2015.

EXT.P1(A): COPY OF REPLY FILED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT, DATED 09/06/2015

EXT.P1(B): COPY OF ORDER PASSED BY THE 2ND RESPONDENT
DATED 04/10/2014

EXT.P2: COPY OF LETTER SUBMITTED BY THE PETITIONER,
DATED 05/11/2014

EXT.P3: COPY OF COMMUNICATION ISSUED BY THE 2ND RESPONDENT,
DATED 20/11/2014

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 18221 of 2015 (C)

Dated this the 15th day of July, 2015

J U D G M E N T

The petitioner is aggrieved with the fact that the Bank Guarantee furnished in pursuance of proceedings with respect to an offence under the Forest Act has not been cancelled and returned, despite the proceedings ending in acquittal even at the original stage.

2. The learned Special Government Pleader (Forest) submits that a revision, initiated suo motu by the authority under the Act, is pending consideration.

3. In such circumstance, definitely, the Bank Guarantee cannot now be released. However, the petitioner shall produce the certified copy of the judgment before the revisional authority and the revisional authority shall expeditiously consider the revision. The petitioner would be entitled to raise all objections before the revisional authority.

Writ Petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE