

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 21955 of 2013 (T)

PETITIONER(S):

**NISAR,
S/O. MAKKAR, AGED 32 YEARS, THAZHATHUVEETIL HOUSE,
CHERUVATTOOR P.O., ERAMALLOOR, KOTHAMANGALAM TALUK,
ERNAKULAM.
(OWNER OF A LORRY BEARING REGISTRATION
NO. KL 5 V 485).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

**THE SUB INSPECTOR OF POLICE,
MUVATTUPUZHA POLICE STATION,
ERNAKULAM DISTRICT - 676507.**

BY SENIOR GOVERNMENT PLEADER SRI.C.R.SYAM KUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-10-2015,
ALONG WITH WPC. 28947/2013, AND CONNECTED CASES, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 21955 of 2013 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- TRUE COPY OF THE SEIZURE MAHAZAR DATED 31/08/2013 PREPARED
BY THE RESPONDENT.**

**EXHIBIT-P2- TRUE COPY OF THE INTERIM ORDER DATED 23/07/2013 IN W.P(C)
18247/2013.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.M.SHAFIQUE, J

W.P.C.Nos.21955, 28947, 28948,
28949 and 31155 of 2013, 7956 and
35554 of 2014, 12749, 13281,13776,
13777, 14086 & 14147 of 2015

Dated this the 26th day of October 2015

J U D G M E N T

These writ petitions have been filed challenging the action of the police authorities/Village officer in seizing the vehicles which are allegedly involved in violation of Kerala Minor and Mineral Concession Rules, 2015. Interim orders have already been passed by this Court permitting release of the vehicles to the petitioners on payment of Rs.25,000/- each.

2. The issue now raised by the petitioners is covered by the judgment of this Court in **Aloshias C. Antony v. Government of Kerala** [2014(1) KLT 536] wherein the learned Single Judge of this Court, after referring to the various contentions raised on behalf of the petitioners in similar cases, observed that the Police Officer as well as the Village Officer had the right to seize the vehicle, if it is found to be in violation of the Kerala Minor and Mineral Concession Rules, 2015.

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3. The facts being so, I do not think that any further directions are required to be passed in these cases. It shall be open for the petitioners to approach the appropriate authorities and seek either to compound the offence or to contest the matter in accordance with the procedure prescribed. All factual matters are also left open to be decided by the competent authorities.

With the above observation, these writ petitions are closed.

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

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PA to Judge

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