

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

WP(C).No. 19995 of 2015 (Y)

PETITIONER :

**SANTHOSH JOSEPH, AGED 41 YEARS,
S/O.JOSEPH, PULLANKAVUNKAL HOUSE, ALAKODE.P.O.,
ALAKODE AMSOM, TALIPARAMBA TALUK,
KANNUR DISTRICT-670571.**

**BY ADVS.SRI.V.T.MADHAVANUNNI
SRI.V.A.SATHEESH**

RESPONDENTS :

- 1. DISTRICT COLLECTOR,
KANNUR DISTRICT, CIVIL STATION, KANNUR-670001.**
- 2. THE DISTRICT SUPPLY OFFICER,
CIVIL STATION, KANNUR-670002.**
- 3. STATE OF KERALA,
REPRESENTED BY SECRETARY, DEPARTMENT CIVIL SUPPLIES,
SECRETARIAT, THIRUVANANTHAPURAM-695001.**

R1 TO R3 BY GOVERNMENT PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 19995 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE ORDER IN CRL.M.C. NO.42/2015 OF SESSIONS
COURT, THALASSERY DATED 17-1-2015.**

**P2: TRUE COPY OF THE ORDER IN S.C. 4302/2014 PASSED BY THE IST
RESPONDENT DATED 31-12-2014.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.T O JUDGE

bp

K. VINOD CHANDRAN, J.

W.P(C). No.19995 of 2015

Dated this the 10th day of July, 2015.

JUDGMENT

In the context of the Essential Commodities Act, 1955 having no provision to impose any fine for any offence detected under the Act or under the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000, the order at Ext.P2 cannot be sustained. The same would stand set aside. However, the prosecution proceedings will be continued in accordance with law.

The writ petition is allowed.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp