

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 27700 of 2007 (V)

PETITIONER:

**RAFEEQUE PUDUSSERY, S/O. MUHAMMED,
AGED 36 YEARS, PUDUSSERY HOUSE, THIRUVALI,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.JIJO PAUL**

RESPONDENT(S):

- 1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT, TRIVANDRUM.**
- 2. THE DISTRICT COLLECTOR, MALAPPURAM.**
- 3. THE SUB INSEPCTOR OF POLICE,
EDAVANNA POLICE STATION,
MALAPPURAM DISTRICT.**
- 4. THE TAHSILDAR, NILAMBUR TALUK,
MALAPPURAM DISTRICT.**

BY GOVERNMENT PLEADER SRI.SOJAN JAMES

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

JUDGMENT

**The learned counsel for the petitioner has fairly conceded that the
matter is covered by a Division Bench decision, which is against the
petitioner. Therefore the Writ Petition is closed.**

11-11-2015

SD/-A.V.RAMAKRISHNA PILLAI, JUDGE

//TRUE COPY//

P.S. TO JUDGE

mbr/

ANTONY DOMINIC,J.

W.P (C) No. 27700 of 2007

Dated this the 19th day of September, 2007

ORDER

Exhibit - P2 is an order passed by the District Collector exercising his power under Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Rules, 2002. The vehicle involved is a truck. Rule 22 provides for its release on payment of value as fixed and fine as quantified by him. In this case, value of the vehicle is Rs.20,000/- and fine imposed is Rs. 25,000/-. The vehicle involved is being a truck, prima facie I am not in agreement with the counsel.

There will be an interim stay on Exhibit P2 on condition that petitioner furnishes a bank guarantee for the total amount of Rs.45,000/- mentioned above. Bank guarantee shall be kept alive for the period during which this writ petition is pending. On furnishing bank guarantee Truck shall be released to the petitioner forthwith.

(ANTONY DOMINIC, JUDGE)

ma

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007