

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 22418 of 2015 (B)

PETITIONER(S):

**BINU KUMAR, AGED 35 YEARS,
S/O.RAMACHANDRAN PILLAI,
CHOOTTIPURACKAL HOUSE,
PANDANADU MURI, PANDANADU VILLAGE,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT.**

BY ADV. SRI.AJITH MURALI.

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ALAPPUZHA, ALAPPUZHA DISTRICT-688 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
CHENGANNUR, ALAPPUZHA DISTRICT-689 121.**
- 3. THE SUB INSPECTOR,
CHENGANNUR POLICE STATION,
ALAPPUZHA DISTRICT-689 121.**
- 4. THE SENIOR GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, ALAPPUZHA DISTRICT-688 001.**

BY SR. GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- THE TRUE COPY OF THE REPORT PREPARED BY THE 3RD RESPONDENT DATED 29.06.2015.**
- P2- THE TRUE COPY OF THE ORDER NO.69/2015-16/MM/OE/DOA/1642/2015 DATED 22.06.2015 ISSUED BY THE 4TH RESPONDENT.**
- P3- THE TRUE COPY OF THE PASS ISSUED BY THE 4TH RESPONDENT DATED 29.06.2015.**
- P4- THE TRUE COPY OF THE REGISTRATION CERTIFICATE.**
- P5- PHOTO COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 10.07.2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

PA. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

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Dated this the 11th day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the seizure of his vehicle bearing Registration No. KL-02-S-239 for alleged offences under the Mines and Mineral (Development and Regulation) Act, 1957 (for brevity, KMMDR Act) and Kerala Mineral (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015. The matter is now placed before the 2nd respondent, the R.D.O.

2. In such circumstance, the petitioner shall appear before the 2nd respondent within a period of one week from the date of receipt of the certified copy of this judgment and the matter shall be considered and disposed of finally within two weeks thereafter.

3. If the petitioner wants to compound the offence,

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the same shall be allowed only on payment of Rs.50,000/- (Rupees fifty thousand only) as also double the amount of royalty and the price of the mineral illegally transported as determined by the Geologist on an assessment of the maximum quantity that could be transported in the goods vehicle which had been seized.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

SB

// true copy //

P.A to Judge.