

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 23611 of 2015 (B)

PETITIONER(S) :

1. JOHNSON, AGED 40 YEARS,
S/O.VAREETHUKUTTY, PUTHENVEETIL, KUNDOOR P.O.,
THIRUMAMKULAM VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT, (OWNER OF LORRIES BEARING REGISTRATION
NO.KL-64-A-4978 AND KL-64-A-652).
2. SHOBY, AGED 31 YEARS,
S/O.VARGHESE, ERIYATTUPADAYATTIL, MADATHUMPADY P.O.,
MADATHUMPADY VILLAGE, KODUNGALLUR TALUK,
THRISSUR DISTRICT (OWNER OF LORRY BEARING REGISTRATION
NO.KL-47-D-40).
3. SHIBU, AGED 35 YEARS,
S/O.GOPALAN, MAMBILLIKKARA, MALA P.O.,
VADANA VILLAGE, CHALAKKUDY TALUK,
THRISSUR DISTRICT (OWNER OF LORRY BEARING REGISTRATION
NO.KL-64-A-9229).
4. JOISON, AGED 29 YEARS,
S/O.JOSE PLAKKAL, PLAKKAL, IRANIKULAM P.O.,
THIRUMAMKULAM VILLAGE, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT (OWNER OF EXCAVATOR JCB BEARING
REGISTRATION NO. KL-45-F-4798).

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S) :

1. THE INSPECTOR OF POLICE,
MALA POLICE STATION, THRISSUR DISTRICT, PIN-680 001.
2. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 23611 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: TRUE COPY OF THE MAHASSAR DATED 31-07-2015 PREPARED BY
THE FIRST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.

W.P.(C) No. 23611 of 2015 (B)

Dated this the 5th day of August, 2015

J U D G M E N T

The petitioners challenge the authority of the respondent who seized the vehicles.

2. The Government has, by G.O.(P) No.55/2015/ID dated 6.5.2015, notified the respondent as a competent authority, authorised to seize the vehicles and file a complaint before the Jurisdictional Magistrate.

3. In such circumstance, the contention cannot be sustained. However, there shall be a direction to the respondent to produce the vehicles before the Jurisdictional Magistrate, so as to enable the petitioners to seek for interim custody from the competent Magistrate, within two weeks from the date of receipt of a certified copy this judgment.

Writ Petition is disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE