

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937H

WP(C).No. 24268 of 2015 (G)

PETITIONER:

**K.K.KARNNAN AGED 64 YEARS
S/O. KRISHNAN KUTTY, KURUVAMPADATH HOUSE, OKKAL P.O.
KALADY, PIN-683550.**

**BY ADVS.SRI.T.M.RAMAN KARTHA
SMT.SYAMA MOHAN**

RESPONDENT(S)/RESPONDENTS:

- 1. THE DISTRICT COLLECTOR
ERNAKULAM, CIVIL STATION, KAKKANAD
PIN-682030.**
- 2. THE REVENUE DIVISIONAL OFFICER
MUVATTUPUZHA, PIN-686661.**
- 3. THE ADDITIONAL TAHSILDAR
KUNNATHUNADU, TALUK OFFICE, PERUMBAVOOR-683542.**
- 4. THE VILLAGE OFFICER
CHELAMATTOM VILLAGE, PIN-683550.**
- 5. THE SUB INSPECTOR OF POLICE
PERUMBAVOOR POLICE STATION, PIN-683542.**

BY SRI P.K.SOYUZ, SPECIAL GOVERNMENT PLEADER

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-08-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 24268 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT. P1: COPY OF THE REGISTRATION DETAILS OF VEHICLE NO. KL 40 K 7376.**
- EXT. P1(A): COPY OF THE REGISTRATION DETAILS OF VEHICLE NO. KL 22F 6802.**
- EXT. P2: COPY OF THE MAHAZAR DATED 20-7-2015.**
- EXT. P3: COPY OF THE LETTER ISSUED BY THE VILLAGE OFFICE DATED 10-7-2015.**
- EXT. P4: COPY OF THE REPORT ISSUED BY THE ADDITIONAL TAHSILDAR DATED 23-7-2015.**
- EXT. P5: COPY OF THE REPORT OF THE 5TH RESPONDENT DATED NIL.**
- EXT. P6: COPY OF THE ORDER DATED 3-8-2015 IN CMP. 923/2015 OF JUDICIAL FIRST CLASS MAGISTRATE, PERUMBAVOOR.**
- EXT. P6(A): COPY OF THE ORDER DATED 3-8-2015 IN CMP NO. 924/2015 OF JUDICIAL FIRST CLASS MAGISTRATE, PERUMBAVOOR.**

RESPONDENT(S)' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRA, J.

W.P.(C) No.24268 of 2015

Dated this the 21st day of August, 2015

JUDGMENT

The petitioner is the registered owner of an Excavator (JCB) bearing registration No.KL-40/K-7376 and a Tipper bearing registration No.KL-22/F-6802. He has approached this Court in this writ petition seeking a writ of certiorari to quash Exts.P2, P3 and P4 and seeking a writ of mandamus commanding respondents 4 and 5 to release the petitioner's vehicles forthwith.

2. I heard the arguments of the learned counsel for the petitioner and also the learned Government Pleader appearing for the respondents.

3. The learned Government Pleader on instructions would submit that the 4th respondent will produce the Excavator and Tipper owned by the petitioner, before the 1st respondent immediately on receipt of a certified copy of this judgment and the petitioner can approach the 1st respondent for getting release of the vehicles in question.

In such circumstances, this writ petition is disposed of directing the 4th respondent to produce the Excavator (JCB)

bearing registration No.KL-40/K-7376 and the Tipper bearing registration No.KL-22/F-6802 before the 1st respondent within a period of three days from the date of receipt of a certified copy of this judgment and on production of the aforesaid vehicles before the 1st respondent, it would be open to the petitioner to move an appropriate application before the 1st respondent for seeking interim custody of the vehicles.

SD/-
ANIL K. NARENDRAN,
JUDGE

JV