

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 26861 of 2015 (G)

PETITIONER:

**ABDUL MAJEED, S/O.SAINABA,
ALAMPADY HOUSE, KOLAVAYAL P.O,
AJANUR, KASARGOD DISTRICT.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE REVENUE DIVISIONAL OFFICER,
KANHANGAD, KASARGOD DISTRICT,
PINCODE - 671 121.**
- 2. THE SUB INSPECTOR OF POLICE,
HOSDURG POLICE STATION,
KASARGOD DISTRICT, PIN CODE - 671 121.**
- 3. THE GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT,
DISTRICT OFFICE, KASARGOD, PIN CODE - 671 121.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 26861 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1 - THE COPY OF THE RELEVANT PAGES OF THE R.C.BOOK.

P2 - COPY OF THE FIR IN CRIME NO.646/2015 OF HOSDURG POLICE STATION.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

WP.(C) No.26861 of 2015

Dated this the 7th day of September, 2015

JUDGMENT

The petitioner's vehicle bearing registration No.KL-60A/6516 has been seized by the first respondent alleging transportation of river sand. According to the petitioner, the sand seized is only ordinary sand and not river sand. The petitioner has approached this Court seeking a direction to the third respondent to take sample of the sand contained in the above vehicle in the presence of the petitioner and forward the test report to the first respondent.

2. Having regard to the factual situation, I am of the view that this writ petition can be disposed of as under:

The third respondent shall take the sample of the sand seized and send the same to the first respondent as requested in the prayer within a period of one week from the date of receipt of a copy of this judgment. The third respondent shall send its report, based on such sample, within a further period of three weeks. The first respondent, based on the above report shall finalise the proceedings within a period of two weeks thereafter.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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