

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 27885 of 2015 (I)

PETITIONER:

**NISHAD, S/O.DILEEP,
AGED 28 YEARS, VAYALODATH,
VELIYATHUNADU P.O., PARAVUR TALUK,
ERNAKULAM DISTRICT(OWNER OF A LORRY
BEARING REGISTRATIONNO.KL-45-B-868).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ERNAKULAM DISTRICT - 682 030.**
- 2. THE SUB INSPECTOR OF POLICE,
INFO PARK POLICE STATION,
ERNAKULAM DISTRICT -682 030.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 27885 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P-1: TRUE COPY OF THE JUDGEMENT DATED 8.9.2015 IN
 WPC NO.26573/2015.**

**EXT.P-2: TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE
 OF PETITIONER BEARING REGISTRATION NO.KL-45-B-868.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No. 27885 of 2015

Dated this the 15th day of September, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-45-B-868 has been seized alleging violation of the provisions of the the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking for a direction to the 2nd respondent to produce the vehicle before the 1st respondent.

2. Heard the learned Counsel for the petitioner and the learned Government Pleader.

3. Considering the facts and circumstances, the following directions are issued:

- i) The 2nd respondent shall report the seizure before the 1st respondent within two days from the date of receipt of a copy of this judgment.
- ii) The 1st respondent shall permit the petitioner to compound the offence at the fee fixed by him after adverting to the nature of offence committed by him.

1.It is made clear that the direction in the judgment would be applicable only if the petitioner has contravened Kerala Minerals (Prevention of illegal mining, storage and transportation) Rules, 2015 or the Kerala Minor Mineral Concession Rules, 2015.

The writ petition is disposed of as above.

Sd/

**A.MUHAMED MUSTAQUE,
JUDGE**

jm/