

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 17TH DAY OF SEPTEMBER 2015/26TH BHADRA, 1937

WP(C).No. 28312 of 2015 (L)

PETITIONERS:

1. MUSTAFA, AGED 37 YEARS
S/O.MUHAMMAD, VARIYATH VALAPPIL HOUSE, ANAKKARA P.O
PALAKKAD DISTRICT.
2. AYOOB P.P, AGED 30 YEARS,
S/O.KUNHUMHAMMED, PADINJAREPIDIKAYIL HOUSE
THRITHALA P.O, PATTAMBI, PALAKKAD DISTRICT.

BY ADV. SRI.K.DILIP

RESPONDENTS:

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM 695 001.
2. THE SUB INSPECTOR OF POLICE
THRITHALA POLICE STATION, 679 534.
3. THE SENIOR GELOGIST
DEPARTMENT OF MINING AND GEOLGY PALAKKAD 688 001.

R BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 28312 of 2015 (L)

APPENDIX

PETITIONER(S) 'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE
VEHICLE BEARING NO.KL-11-K-1007 DATED 10.2.2006.

EXHIBIT P2: TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE
VEHICLE BEARING NO.KL-52-E-1626 DATED 28.9.2012.

EXHIBIT P3: TRUE COPY OF THE SEIZURE MAHAZAR DATED 14.9.2015.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.28312 of 2015

Dated this the 17th day of September, 2015.

JUDGMENT

Petitioners' vehicle bearing Reg.No.KL-11 X-1007 and KL-52-E-1626 have been seized alleging violation of the provisions of the the Kerala Minor Mineral Concession Rules, 2015.

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

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

- i) The second respondent shall report the seizure before the third respondent within two days from the date of receipt of a copy of this judgment.
- ii) Thereafter, the third respondent on the application made by the petitioners shall permit the petitioners to compound the offence at the fee fixed by him after adverting to the nature of offence committed by him. It shall be done within a further period of two days.

iii) It is made clear that the direction in the judgment would be applicable only if the petitioners have contravened the Kerala Minor Mineral Concession Rules, 2015 and the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE
JUDGE**

Scl.