

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

WP(C).No. 28770 of 2015 (U)

PETITIONER(S):

1. RATHEESH K.NAIR,
S/O.KRISHNANKUTTY NAIR, AYEVELIL HOUSE,
SEETHATHODE.P.O., RANNI, PATHANAMTHITTA DISTRICT.
2. BINU KISHOR, S/O.ANIRUDHAN,
PUTHUPARAMBIL HOUSE, KAKKATHODE, UPPUTHARA.
3. SAJU.P.JOHN, S/O.JOHN, PALLIVATHIKKAL HOUSE,
SEETHAKKUZHY, SEETHATHODE.
4. BIJU ABRAHAM, S/O.V.T.THOMAS,
VADAKKEVEEDU, URUMBINI, SEETHATHODE.

BY ADV. SRI.UNNI. K.K. (EZHUMATTOOR)

RESPONDENT(S):

1. SENIOR GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
MINI CIVIL STATION, ARANMULA,
PATHANAMTHITTA - 689 645.
2. DISTRICT COLLECTOR, CIVIL STATION,
PATHANAMTHITTA - 689 645.
3. SUB INSPECTOR OF POLICE,
CHITTAR POLICE STATION - 689 678.

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 28770 of 2015 (U)

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1 : TRUE COPY OF THE REGISTRATION CERTIFICATES OF THE VEHICLE
BEARING REG.NO.KL-62-7618.

EXT. P2 : TRUE COPY OF THE REGISTRATION CERTIFICATES OF THE VEHICLE
BEARING REG.NO.KL-3-C-5829.

EXT. P3 : TRUE COPY OF THE FIR IN CRIME NO.773/2015 PREPARED BY THE
3RD RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.28770 of 2015

Dated this the 23rd day of September, 2015

JUDGMENT

The first petitioner's vehicles bearing Reg.Nos.KL-62-7618 and KL-3-C-5829 have been seized alleging violation of the provisions of 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 third 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 first respondent shall permit the petitioners to compound the offence at the fee fixed by them after adverting to the nature of offence committed by them.

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. Needful shall be done by the first respondent within two days.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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