

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 29173 of 2015 (V)

PETITIONER :

**SUNILKUMAR, AGED 39 YEARS,
S/O. SEKHARAN, DAIVATHIN THARA,
3, UDAYANPURAM, VAIKOM, - 686143.**

BY ADV. SRI.ESM.KABEER

RESPONDENTS :

1. THE DISTRICT COLLECTOR, KOTTAYAM

**2. THE SUB INSPECTOR OF POLICE,
TALAYOLAPARAMBU POLICE STATION,
TALAYOLAPARAMBU**

BY GOVERNMENT PLEADER SRI. MANOJ P. KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 29173 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE REGISTRATION CERTIFICATE OF KL-07-AP-1547.
- P2: COPY OF THE GOOD CARRIAGE PERMIT VALID FROM 9/4/2015 TO 8/4/2020.
- P3: COPY OF THE CERTIFICATE FITNESS OF THE VEHICLE.
- P4: COPY OF THE MAHAZAR PREPARED BY THE R2 DT 22/9/2015.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 29173 of 2015

Dated this the 25th day of September, 2015

J U D G M E N T

Petitioner claims that his vehicle bearing Registration No.KL-07 AP 1547 has been seized alleging transportation of ordinary earth without permit. Petitioner seeks release of the vehicle.

2. This Court is of the view that the second respondent shall report the seizure before the first respondent-Collector. The District Collector shall release the vehicle on such terms and conditions imposed. If the petitioner expresses his willingness to compound, the first respondent shall also permit the petitioner to compound the offence on payment of compounding fee determined by him. However, it is made clear that this order need be complied, if the vehicle in question is involved in violation of the Kerala Minor Mineral Concession Rules, 1967 and the Kerala Minerals (Prevention

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of Illegal Mining, Storage and Transportation)Rules,2015.

This writ petition is disposed of with the above direction.

A.MUHAMED MUSTAQUE,
Judge

MBS/

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