

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 29263 of 2015 (G)

PETITIONER:

**RAJESH, S/O.GOPALAN,
PUNATHIKANDIYIL HOUSE, EDACHERI P.O.,
VATAKARA.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

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

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 29263 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

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

P2:- COPY OF THE SEIZURE MAHAZAR DTD 23/6/2015

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 29263 of 2015

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Dated this the 28th day of September, 2015

J U D G M E N T

Petitioner's vehicle KL 24 B/6775 has been seized alleging violation under the provisions of Kerala Protection of River bank and regulation of removal of sand Act, 2001. The petitioner's case is that this is only sea sand.

2. In view of the fact that the proceedings are pending before the 1st respondent under the Kerala Protection of River Bank and Regulation of Removal of Sand Act, 2001, the following directions are issued:

- i) The petitioner's request for sample test shall be forwarded to the Director of Office of Mining and Geology.
- ii) This shall be done within a period of two weeks from the date of receipt of a copy of this judgment.
- iii) Thereafter, the Director Mining and Geology shall send the analysis report to the 1st respondent within a further period of two weeks.

iv)Based on the above report, necessary orders shall be passed
by the 1st respondent within a further period of two weeks.

The writ petition is disposed of as above.

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A.MUHAMED MUSTAQUE, JUDGE