

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 29603 of 2015 (A)

PETITIONER(S):

**ANIL KUMAR, AGED 48 YEARS,
S/O.SUGUNAN, ACHUTHAVILASAM, MARAVANTHURUTH P.O.,
KULASEKHARAMANGALAM VILLAGE, VAIKOM TALUK,
KOTTAYAM DISTRICT (OWNER OF A LORRY BEARING
REGISTRATION NO.KL-08-AG-3167).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
KOTTAYAM DISTRICT-686608.**
- 2. THE ADDITIONAL SUB INSPECTOR OF POLICE,
THALAYOLAPARAMBU POLICE STATION,
KOTTAYAM DISTRICT-686608.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 29603 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS

P1: COPY OF THE MAHASSAR DATED 22/9/15 PREPARED BY THE R2.

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.29603 of 2015

Dated this the 30th day of September, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-08-AG-3167 has been seized alleging violation of the provisions of the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court for seeking a direction to the second respondent to produce the vehicle before the first 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 second 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 petitioner to compound the offence at the fee fixed by him after adverting to the nature of offence committed by him.

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

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In