

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. 29758 of 2015 (T)

PETITIONER :

**ANIL KUMAR, AGED 36 YEARS,
S/O. RAJASEKHARAN NAIR, PLAKKEZHIL,
PANDANADU P.O., CHENGANNUR,
ALLAPUZHA DISTRICT - 689506.**

**BY ADVS.SRI.RAAJESH S.SUBRAHMANIAN
SRI.V.R.RAJESH**

RESPONDENTS :

- 1. SUB INSPECTOR OF POLICE,
CHENGANNUR - 689121.**
- 2. GEOLOGIST DEPARTMENT OF MINING &
GEOLOGY ALLAPUZHA - 688001.**

BY GOVERNMENT PLEADER SRI. BIJU MEENATOOR

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

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE BEARING NO. KL-30-1014.**
- P2: COPY OF THE SEIZURE MAHAZAR DT 28/9/2015 PREPARED BY THE RESPONDENT**
- P3: COPY OF THE ORDER BEARING NO. 183/2015-16-MM/OE/DEO/788/15 DT 18/9/2015 ISSUED BY THE R2.**
- P4: COPY OF THE MINERAL TRANSIT PASS DT 28/9/2015 BEARING NO. 66 ISSUED BY THE R2.**

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.29758 of 2015

Dated this the 30th day of September, 2015

JUDGMENT

The petitioner's vehicle bearing Registration No.KL-30-1014 has been seized by the first respondent. The petitioner submits that he has a valid pass.

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

- i) The first respondent shall report the seizure before the second respondent within two days from the date of receipt of a copy of this judgment.
- ii) The second respondent shall verify whether the petitioner has valid pass.
- iii) If the petitioner has valid pass, the vehicle shall be released to the petitioner without any conditions.
- iv) If the petitioner has no valid pass and he has transported minor mineral without pass, the

second respondent shall permit the petitioner to compound the offence at the rate fixed by the second respondent.

- v. Needful shall be done by the second respondent within a further period of two days.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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