

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 29783 of 2015 (W)

PETITIONER :

**GIREESH KUMAR, AGED 34 YEARS,
S/O. DHARMASEELAN, KAVARATTU HOUSE,
POTHAPPALLY KUMARAPURAM, ALAPPUZHA**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENTS :

- 1. DISTRICT COLLECTOR, COLLECTORATE,
ALAPPUZA PI - 688001.**
- 2. THE GEOLOGIST DEPARTMENT OF MINING AND
GEOLOGY DEPARTMENT, ALAPPUZHA - PIN-688001.**
- 3. SUB INSPECTOR OF POLICE,
CHENGANNUR POLICE STATION, CHENGANNUR**

BY GOVERNMENT PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 29783 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF THE R.C. BOOK.

P2: COPY OF THE SEIZURE MAHAZAR.

P3: COPY OF THE REPORT BEFORE THE R1.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.29783 of 2015

Dated this the 1st day of October, 2015

JUDGMENT

The petitioner's vehicle bearing registration No.KL-24 E-630 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 third respondent to produce the vehicle before the second 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 third 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 permit the petitioner to compound the offence at the fee fixed by him after adverting to the nature of offence committed by him.

- iii. Needful shall be done by the second respondent within a further period of two days from the date of reporting seizure by the third respondent.
- iv. 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.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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