

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 14TH DAY OF OCTOBER 2015/22ND ASWINA, 1937

WP(C).No. 31327 of 2015 (M)

PETITIONER:

**VIMAL KUMAR T.V, S/O.VIJAYAN,
AGED 29 YEARS, THEKKEATTAM,
THURAVUR THEKKU, KUTHIATHODE,
THIRUMALABHAGOM, CHERTHALA,
ALAPUZHA - 688 584.**

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENT(S):

- 1. DISTRICT COLLECTOR, MALAPPURAM - 676 505.**
- 2. SUB COLLECTOR, REVENUE DIVISION OFFICE,
PERINTHALMANNA - 676 216.**
- 3. SUB INSPECTOR OF POLICE,
KUTHIATHODU - 688 533.**
- 4. ASHTAKUMAR @ KANNAN, S/O.MADHAVN,
MAROTTICKAL HOUSE, KUTHIATHODU.P.O.,
CHERTHALA, NOW RESIDING AT C/O.VENU,
PULLOM VELI HOUSE,
NEAR VAYALAR PANCHAYATH OFFICE,
VALAYAR EAST.P.O., CHERTHALA, PIN - 688 536.**

R1 TO R3 BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : TRUE COPY OF THE REGISTRATION CERTIFICATE OF MG V TIPPER
VEHICLE WITH REGISTRATION NUMBER KL-53-5669.
- EXT. P2 : TRUE COPY OF RENT AGREEMENT DATED 20.11.2014.
- EXT. P3 : TRUE COPY OF THE CRL.MP.NO.1665/2015 DATED 25.2.2015.
- EXT. P4 : TRUE COPY OF THE NOTICE NO.DSV/354/2015/10 DATED 16.7.2015
ISSUED BY THE SUB COLLECTOR, PERINTHALMANNA.
- EXT. P5 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT DATED 19.9.2015.
- EXT. P6 : TRUE COPY OF THE NOTICE NO.DSV/354/2015/10 DATED 25.9.2015
ISSUED BY THE SUB COLLECTOR, PERINTHALMANNA.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 31327 of 2015

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Dated this the 14th day of October, 2015

J U D G M E N T

The petitioner aggrieved by a notice issued by the Revenue Divisional Officer under the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 has approached this Court. According to the petitioner, he is the owner of the vehicle and he is not involved in any crime. Therefore his vehicle cannot be proceeded under the Act.

2. This Court is of the view that the petitioner shall raise their objection to Ext. P6 notice on or before 23.10.2015 and thereafter the RDO shall pass appropriate orders. It is made clear that till the final order is passed, the vehicle shall not be seized.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE