

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937**

**WP(C).No. 31979 of 2015 (V)**  
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**PETITIONER(S):**  
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**RASHID, AGED 24 YEARS,  
S/O.MUHAMMED, KOOMBRAPARAYIL HOUSE,  
PATTITHARA P.O., PALAKKAD DISTRICT.  
(OWNER OF A LORRY BEARING REGISTRATION NO.KL-9-S-5578)**

**BY ADV. SRI.P.M.ZIRAJ**

**RESPONDENT(S):**  
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- 1. THE DISTRICT GEOLOGIST,  
DEPARTMENT OF MINING AND GEOLOGY,  
PALAKKAD DISTRICT-679534.**
- 2. THE DEPUTY TAHASILDAR (INSPECTION),  
PATTAMBI TALUK, PALAKKAD DISTRICT-679534.**

**BY GOVERNMENT PLEADER SMT.C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**PJ**

**WP(C).No. 31979 of 2015 (V)**  
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**APPENDIX**

**PETITIONERS' EXHIBITS**  
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**P1: TRUE COPY OF THE MAHASSAR DATED 12/9/15 PREPARED BY THE R2**

**RESPONDENTS' EXHIBITS**  
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**NIL.**

**/ TRUE COPY /**

**P.S. TO JUDGE**

**PJ**

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 31979 of 2015

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Dated this the 20<sup>th</sup> day of October, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-9-S-5578 has been seized alleging violation of the provisions of the the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking for a direction to the 2<sup>nd</sup> respondent to produce the vehicle before the 1<sup>st</sup> 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 2<sup>nd</sup> respondent shall report the seizure before the 1<sup>st</sup> respondent within two days from the date of receipt of a copy of this judgment.
- ii) The 1<sup>st</sup> 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.

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/-

sab

A.MUHAMED MUSTAQUE, JUDGE