

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 9TH DAY OF NOVEMBER 2015/18TH KARTHIKA, 1937

WP(C).No. 33918 of 2015 (L)

PETITIONER :

**RASHEEDKUTTY, AGED 43 YEARS,
S/O.SULAIMANKUNJU, KANNATTUTHARAYIL, OACHIRA.P.O.,
OACHIRA VILLAGE, KARUNAGAPPALLY TALUK,
KOLLAM DISTRICT(OWNER OF A JCB
BEARING REGISTRATION NO.KL-23-E-1649).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS :

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ALAPPUZHA DISTRICT - 685534.**
- 2. THE SUB INSPECTOR OF POLICE,
KAYAMKULAM POLICE STATION
ALAPPUZHA DISTRICT-685534.**

R1 & R2 BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 33918 of 2015

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Dated this the 9th day of November, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-23-E-1649 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 2nd respondent to produce the vehicle before the 1st 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 2nd 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 1st 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