

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

WP(C).No. 34156 of 2015 (T)

PETITIONER :

**MINI, S/O.REGHU, AGED 49 YEARS,
KRISHNA KRIPA, MEVALLOOR P.O.,
VELLOOR VILLAGE, VAIKOM TALUK,
KOTTAYAM DISTRICT (OWNER OF A LORRY
BEARING REGISTRATION NO.KL-03-M-2268).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
VAIKOM POLICE STATION,
KOTTAYAM DISTRICT - 689 001.**
- 2. THE REVENUE DIVISIONAL OFFICER (R.D.O)
PALA, KOTTAYAM DISTRICT. PIN-689 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 34156 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P-1: TRUE COPY OF THE FIRST INFORMATION REPORT NO.1589 DATED
 17.9.2015 OF VAIKOM POLICE STATION.**

**EXT.P-2: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
 DATED 21.9.2015 BEFORE THE SECOND RESPONDENT.**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34156 of 2015

Dated this the 12th day of November, 2015

JUDGMENT

The petitioner, alleging illegal seizure of his vehicle bearing registration No.KL-03-M-2268, has approached this Court. It appears that the vehicle has been seized alleging transportation of river sand without permit. According to the petitioner, the vehicle has been seized without any load of minor minerals or sand.

Considering the facts and circumstances, following directions are issued:

- i. The first respondent is directed to report seizure of the vehicle before the second respondent within three days from the date of receipt of a copy of this judgment.
- ii. The second respondent shall conclude the proceedings under the Kerala Protection of River Banks and Regulation of Removal of Sand Act, within one month.

- iii. The petitioner's request for interim custody shall be considered within a period of one week.
- iv. If it is satisfied that the vehicle was empty at the time of seizure, the same shall be released to the petitioner without any conditions.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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