

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. 34175 of 2015 (V)

PETITIONER:

1. SUDHEER, AGED 30 YEARS,
S/O.SAIDUMUHAMMED, PARAPPANA, KINASSERY P O,
KANNADI VILLAGE,
PALAKKAD DISTRICT
(OWNER OF THE LORRY BEARING REGISTRATION
NO KL 10 D -9003.
2. NASRUDHEEN, AGED 33 YEARS,
S/O.MUHAMMED, CHERIPURATH HOUSE, ATTASSERY P O,
PANAMKUNN, KARIMBUZHA VILLAGE, OTTAPALAM TALUK,
PALAKKAD DISTRICT
(DRIVER OF THE LORRY BEARING
REGISTRATION NO KL 10-S-9003).

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS:

1. THE SUB INSPECTOR OF POLICE,
NATTUKAL POLICE STATION, PALAKKAD DISTRICT, PIN 678583.
2. THE REVENUE DIVISIONAL OFFICER,
OTTAPALAM, PALAKKAD DISTRICT, PIN 679513.
3. THE DISTRICT COLLECTOR,
PALAKKAD DISTRICT 679513.
4. THE DIRECTOR OF MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY, KESAVADASAPURAM,
PATTOM, THIRUVANANTHAPURAM 695001.

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

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

PJ

WP(C).No. 34175 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1:- TRUE COPY OF THE MAHASSAR DTD 12/10/2015 PREPARED BY THE FIRST
RESPONDENT**

**P2:- TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DTD.
22/11/2014 IN WPC NO 31228/2014**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34175 of 2015

Dated this the 12th day of November, 2015

JUDGMENT

The first petitioner's vehicle bearing registration No.KL-10-S-9003 has been seized alleging transport of river sand without permit. The petitioners requested the Revenue Divisional Officer to take the same and send the same for analysis by the 4th respondent. It is submitted by the counsel for the petitioners that the sample has already been taken.

In view of the above, there shall be a direction to the second respondent to forward the sample to be analyzed by the 4th respondent. Needful shall be done within two weeks. Thereafter, the 4th respondent shall send its report after analyzing to the second respondent within a further period of two weeks. Based on the receipt of report from the 4th respondent, the second respondent shall finalize the proceedings within two weeks after hearing the petitioners. Till a decision is taken in the matter, the petitioners shall not be arrested pursuant to Ext.P1. Till a decision

is taken by the Revenue Divisional Officer, Ext.P1 shall stand suspended.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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