

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

**PRESENT:**

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

**WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937**

**WP(C).No. 34835 of 2015 (D)**  
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**PETITIONER :**  
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**KRISHEEB  
S/O. RAMACHANDRAN, AGED 29 YEARS  
MATTUMMAL, MANIKKASSERY  
P.O. KONGAD VILLAGE, PALAKKAD TALUK  
PALAKKAD DISTRICT  
(OWNER OF A LORRY BEARING REGISTRATION  
NO. KL-9-AE-3235 AND KL – 50-C 587).**

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

**RESPONDENT(S) :**  
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- 1. THE DISTRICT GEOLOGIST  
DEPARTMENT OF MINING AND GEOLOGY  
PALAKKAD DISTRICT – 679 534.**
- 2. THE SUB INSPECTOR OF POLICE  
KONGAD POLICE STATION,  
PALAKKAD DISTRICT – 678 631.**

**R1 & R2 BY GOVT. PLEADER SMT. C.K.SHERIN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**Mn**

WP(C).No. 34835 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE MAHAZAR DATED 11-11-2015 PREPARED BY THE  
SECOND RESPONDENT.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

**A.MUHAMED MUSTAQUE, J.**

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**W.P.(C) No.34835 of 2015**

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Dated this the 18<sup>th</sup> day of November, 2015

**JUDGMENT**

The petitioner's vehicles bearing registration No.KL-9-AE-3235 and KL-50-C-587 have been seized alleging violation of the provisions of the Kerala Minor Mineral Concession Rules, 2015.

2. The petitioner submits that the vehicles have a pass at the time of seizure. Therefore, there is no contravention.

Considering the facts and circumstances, following directions are issued:

- i. The second respondent shall report seizure of the vehicles before the first respondent within two days from the date of receipt of a copy of this judgment.
- ii. The first respondent shall verify whether the petitioner has a pass.
- iii. If the vehicles have a pass, the vehicles shall be released to the petitioner without any conditions.

iv. This shall be done within a further period of two days.

v. However, the first respondent is of the view that if the petitioner has violated relevant provisions, it is open for the first respondent to permit the petitioner to compound the offence on payment of compounding fee determined by him.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

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