

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. 34852 of 2015 (F)

PETITIONER(S):

**S. SUNIL KUMAR, AGED 36 YEARS,
S/O.SUNDARESAN, RESIDING AT SUNIL BHAVAN,
UCHAKKADA, PAYATTUVILA, NEYYATTINKARA,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.T.M.RAMAN KARTHA,
SMT.SYAMA MOHAN.**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVT.,
DEPARTMENT OF FOOD AND CIVIL SUPPLIES,
GOVT. OF KERALA, THIRUVANANTHAPURAM-695 001.**
- 2. DISTRICT COLLECTOR, PALAKKAD,
COLLECTORATE POST, PIN-678 001.**
- 3. DISTRICT SUPPLY OFFICER, COLLECTORATE,
PALAKKAD-678 001.**
- 4. TALUK SUPPLY OFFICER, PALAKKAD-678 101.**
- 5. SUB INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION, PALAKKAD-678 014.**
- 6. UNION OF INDIA, REP. BY THE SECRETARY TO GOVT.,
MINISTRY OF CONSUMER AFFAIRS,
FOOD AND PUBLIC DISTRIBUTION,
DEPARTMENT OF CONSUMER AFFAIRS,
KRISHI BHAVAN, NEW DELHI-110 001.**

**R1 TO R5 BY GOVT. PLEADER SMT.C.K. SHERIN.
R6 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.
ADV. SMT.C.G.PREETHA, CGC.**

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

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE CERTIFICATE OF REGISTRATION OF KL-20B-7722.
- EXT.P1A COPY OF THE INSURANCE POLICY OF THE VEHICLE KL-20B-7722.
- EXT.P2 COPY OF THE INVOICE NO.A-183 DATED 25/10/2015 ISSUED TO M/S.IDEAL TRADING CONCERN, PALAKKAD.
- EXT.P2A COPY OF THE INVOICE NO.A-184 DATED 25/10/2015 ISSUED TO M/S.IDEAL TRADING CONCERN, PALAKKAD.
- EXT.P3 COPY OF THE MAHAZAR DATED 25/10/2015 PREPARED BY THE 5TH RESPONDENT.
- EXT.P4 COPY OF THE LETTER DATED 27/10/2015 ISSUED BY THE 5TH RESPONDENT.
- EXT.P5 COPY OF THE MAHAZAR DATED 27/10/2015 PREPARED BY THE RESPONDENTS 3 AND 4.
- EXT.P6 COPY OF THE REMOVAL OF (LICENSING REQUIREMENTS, STOCK LIMITS AND MOVEMENT RESTRICTIONS) ON SPECIFIED FOOF STUFFS) ORDER 2002.
- EXT.P7 COPY OF THE DETAILS OF THE ORDERS ISSUED BY THE CENTRAL GOVERNMENT AMENDING EXT.P6.
- EXT.P8 COPY OF THE ORDER NO.S.O.3543(E) DATED 29/11/2013 ISSUED BY THE CENTRAL GOVERNMENT.
- EXT.P9 COPY OF THE JUDGMENT IN WP(C).NO.29966/2015 OF THE HONOURABLE HIGH COURT OF KERALA DATED 01/10/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 34852 of 2015

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Dated this the 18th day of November, 2015

J U D G M E N T

The petitioner's vehicle No.KL-20-B-7722 has been seized as per Ext.P3 seizure mahazar. It is seen from Ext.P3 mahazar that the vehicle along with the rice has been seized alleging illegal transportation of rice.

2. Considering the facts and circumstances, this Court is of the view that the vehicle shall be released to the petitioner on executing a simple bond and proving satisfaction of ownership. However this will not stand in the way of conducting any enquiry and proceedings in accordance with the law.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE