

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

SATURDAY, THE 21ST DAY OF NOVEMBER 2015/30TH KARTHIKA, 1937

WP(C).No. 35223 of 2015 (C)

PETITIONER:

**SIBICHAN MICHAEL, S/O.MICHEAL,
AGED 46 YEARS, KARUPUZHICKAL HOUSE,
KURUMANNU P.O., KARUMANNU VILLAGE,
MEENACHIL TALUK, KOTTAYAM DISTRICT
(OWNER OF A LORRY BEARING REGISTRATION
NO.KL-35-C-8804)**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
KOTTAYAM DISTRICT - 679 534.**
- 2. THE SUB INSPECTOR OF POLICE,
KURAVILANGAD POLICE STATION,
KOTTAYAM DISTRICT- 679 534.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

EXT P1- TRUE COPY OF THE MAHASSAR DATED 18-11-2015 PREPARED BY THE SECOND RESPONDENT.

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NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 35223 of 2015

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Dated this the 21st day of November, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-35-C-8804 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.

sab

A.MUHAMED MUSTAQUE, JUDGE