

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 36028 of 2015 (C)

PETITIONERS :

- 1. MAMMU,S/O.SAITHALIKUTTY, AGED 54 YEARS,
UPPILIYAMKUNNATH, SANKARAMANGALAM.P.O.,
PATTAMBI VILLAGE, PATTAMBI TALUK, PALAKKAD DISTRICT
(OWNER OF A LORRY BEARING REGISTRATION NO.KL-52-C-5109)**
- 2. ABDUL RAHIMAN, S/O.THIYAMU, AGED 38 YEARS,
KUNNATHODI, PERUMUDIYUR.P.O., MUTHUTHALA VILLAGE,
PATTAMBI TALUK, PALAKKAD DISTRICT
(OWNER OF A JCB EXCAVATOR BEARING
REGISTRATION NO.KL-14-E-6793).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
PALAKKAD DISTRICT-678 001**
- 2. THE DEPUTY TAHSILDAR (INSPECTION),
TALUK OFFICE, OTTAPALAM, PALAKKAD DISTRICT-678 001**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.36028/2015

APPENDIX

PETITIONER'S EXHIBITS:

**P1 COPY OF THE MAHASSAR DATED 25/11/2015 PREPARED BY THE SECOND
RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 36028 of 2015

Dated this the 27th day of November, 2015

JUDGMENT

Petitioners are the owner of the vehicles bearing Registration Nos.KL-52-C-5109 (Lorry) and KL-14-E-6793(JCB). Petitioners submit that their vehicles have been seized for contravention of the provisions of Kerala Minor Mineral Concession Rules,1967 and the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation)Rules,2015. Petitioners also submit that they are prepared to compound the offence. In view of the above, there shall be a direction to the second respondent to report the seizure before the first respondent within a period of two days from the date of receipt of a copy of this judgment. Thereafter, if the first respondent finds that it is compoundable under the Kerala Minor Mineral Concession Rules,1967, he shall permit the petitioners to compound the offence

on the compounding fee fixed by him after adverting to the nature of the offence. Needful shall be done by the first respondent within a period of two days thereafter.

This writ petition is disposed of with the above direction.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

bpr