

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 30TH DAY OF NOVEMBER 2015/9TH AGRAHAYANA, 1937Q

WP(C).No. 36101 of 2015 (K)

PETITIONER :

SOMAN, AGED 28 YEARS
S/O.NARAYANAN, LAKSHMI NARAYANAM
KOMALLOOR.P.O., MAVELIKARA.

BY ADV. SMT.ASHA ELIZABETH MATHEW

RESPONDENTS :

1. SUB INSPECTOR OF POLICE
POLICE STATION, VALLIKUNNAM - 690191
2. SENIOR GEOLOGIST,
ALAPPUZHA DISTRICT, CHERTHALA P.O. - 691 201

R BY GOVERNMENT PLEADER SMT.C.K.SHERIN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 36101 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF TIPPER LORRY
BEARING REGISTRATION NO.KL-40-E-3884.

EXT.P2. A TRUE COPY OF THE MAHAZAR.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A TO JUDGE

AV

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.36101 of 2015

Dated this the 30th day of November, 2015

J U D G M E N T

The petitioner's vehicle bearing Reg.No.KL-40-E-3884 has been seized alleging violation of the provisions of the the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking a direction to the 1st respondent to produce the vehicle before the 2nd 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 1st respondent shall report the seizure before the 2nd respondent within two days from the date of receipt of a copy of this judgment.
- ii) The 2nd 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.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.

AV