

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 36559 of 2015 (T)

PETITIONER :

**NALINI
W/O. RAJU, AGED 56 YEARS
KADAVANA, KULASEKHARAMANGALAM P.O.,
VAIKOM TALUK, KOTTAYAM DISTRICT
(OWNER OF A LORRY BEARING REGISTRATION
NO. KL-36-6368).**

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
KUMARAKOM POLICE STATION
KOTTAYAM DISTRICT – 679 534.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 36559 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE REGISTRATION CERTIFICATE NO. KL-36-6368 OF THE
VEHICLE OF PETITIONER.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 36559 of 2015

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Dated this the 3rd day of December, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-36-6368 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.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE