

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. 36598 of 2015 (Y)

PETITIONER :

**MUHAMMED RASHAD,
S/O.PAREED RAWUTHAR, AGED 45 YEARS,
SHARAFIYA MANZIL, KUMMANAM.P.O., KOTTAYAM TALUK,
CHENGALAM VILLAGE, KOTTAYAM DISTRICT.
(OWNER OF A LORRY BEARING REGISTRATION NO.KL-05-AE-2779)**

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**

BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

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

sts

WP(C).NO.36598/2015

APPENDIX

PETITIONER'S EXHIBITS:

**P1 COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE OF
PETITIONER.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 36598 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-05-AE-2779 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