

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. 36616 of 2015 (B)

PETITIONER :

**FR. JOY SRAMBICAL,S/O.C.P.PAILY, AGED 45 YEARS,
VICAR, ST. SEBASTIAN'S CHURCH, POYYA.P.O., POYYA VILLAGE,
KODUNGALLUR TALUK, THRISSUR DISTRICT (HOLDER OF LORRIES
BEARING REGISTRATION NO.KL-47-6857 AND KL-47-C-7573).**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
THRISSUR DISTRICT-680 001**
- 2. THE INSPECTOR OF POLICE, MALA POLICE STATION,
THRISSUR DISTRICT, PIN-680 001**
- 3. THE SUB INSPECTOR OF POLICE,
MALA POLICE STATION, THRISSUR DISTRICT, PIN-680 001**

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.36616/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE ORDER DATED 25/11/2015 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.
- P2 COPY OF THE BUILDING PERMIT DATED 13/1/2015 ISSUED BY THE SECRETARY, POYYA GRAMA PANCHAYATH.
- P3 COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 08/10/2015 IN WP(C).NO.14441 OF 2015.

RESPONDENT'S EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 36616 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 vehicles bearing registration No.KL-47-6857 and KL-47-C-7573 have been seized alleging transportation of ordinary earth without valid permit. The petitioner submits that the seizure is illegal.

2. In that view of the matter there shall be a direction to the 2nd and 3rd respondents to report the seizure before the competent jurisdictional Magistrate within two days from the date of receipt of the copy of this judgment. If the petitioner moves an application before the Magistrate for interim custody, the same shall be considered within a further period of three working days.

The writ petition is disposed of, as above.

sab

A.MUHAMED MUSTAQUE, JUDGE

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