

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF DECEMBER 2015/16TH AGRAHAYANA, 1937

WP(C).No. 36938 of 2015 (N)

PETITIONER :

**MAYA M., AGED 34 YEARS,
PANAMPALLIL HOUSE, MUTTOM.P.O.,
HARIPAD.**

BY ADV. SMT.ASHA ELIZABETH MATHEW

RESPONDENT(S):

- 1. VILLAGE OFFICER,
VILLAGE OFFICE, CHERIYANAD.PIN-691 142**
- 2. SENIOR GEOLOGIST,
ALAPPUZHA DISTRICT, CHERTHALA.P.O., PIN-690 002**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 36938 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1- A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF TIPPER LORRY
BEARING REGISTRATION NO.KL-29-E-1518.**

P2- A TRUE COPY OF THE MAHAZAR.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE,J

W.P.(C)No. 36938 of 2015

Dated this the 7th day of December, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No. KL-29-E-1518 has been seized alleging violation of the provisions of the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking for a direction to the respondent to release the vehicle to the petitioner.

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 the offence committed by him.

(iii) Needful shall be done within further period of two days from the date of receipt of seizure by the 2nd respondent.

3. 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