

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).No. 37284 of 2015 (I)

PETITIONER :

**DHANYA ANIL KUMAR
AGED 35 YEARS, W/O. ANIL KUMAR
KOLLAPPALLIL HOUSE
MIDAYIKUNNAM P.O., VADAYAR
VAIKOM, KOTTAYAM.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S) :

- 1. DISTRICT COLLECTOR
COLLECTORATE, ALAPPUZHA – 688001.**
- 2. THE GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY
ALAPPUZHA – 688 001.**
- 3. SUB INSPECTOR OF POLICE
CHENGANNUR POLICE STATION
CHENGANNUR – 689 121.**

R1 TO R3 BY GOVT. PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 37284 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE R.C. BOOK.

EXT.P2 COPY OF THE SEIZURE MAHAZAR.

EXT.P3 COPY OF THE REPORT BEFORE THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.37284 of 2015

Dated this the 9th day of December, 2015

JUDGMENT

The petitioner's vehicle bearing Reg.No.KL-36-B-5364 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 second respondent to release the above vehicle.

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 third respondent shall report the seizure before the second respondent within two days from the date of receipt of a copy of this judgment.
- ii) The second 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

In