

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 11TH DAY OF DECEMBER 2015/20TH AGRAHAYANA, 1937

WP(C).No. 37390 of 2015 (W)

PETITIONER :

**MAJEED M., AGED 41 YEARS, S/O.MOHAMMED,
MARAKKARKANDY HOUSE, PARAVANNA, TIRUR-676 109
MALAPPURAM (OWNER OF GOODS CARRIAGE
BEARING REG.NO.KL-09/S-5856).**

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENT :

- 1. THE REVENUE DIVISIONAL OFFICER,
TIRUR-676 101, MALAPPURAM DISTRICT.**

ADDL. R2 IMPEADED :

- 2. THE DISTRICT GEOLOGIST, MALAPPURAM**

ADDL. R2 IS SUOMOTU IMPEADED AS PER JUDGMENT DT 11/12/2015.

BY GOVERNMENT PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE AGREEMENT FOR SALE DT 20/12/2014.
- P2: COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE NO. KL-09/S.5856.
- P3: COPY OF FORM O(A) PASS.
- P4: COPY F THE ACKNOWLEDGMENT FOR SEIZURE OF THE VEHICLE UNDER FORM 'Q'.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.37390 of 2015

Dated this the 11th day of December, 2015

JUDGMENT

The petitioner's goods carriage bearing registration No.KL-09/S-5856 has been seized by the respondent alleging violation of the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules.

2. The petitioner submits that he has a pass at the time of seizure.

Considering the facts and circumstances, following directions are issued:

- i. The respondent shall report seizure of the vehicle before the District Geologist within two days from the date of receipt of a copy of this judgment.
- ii. The District Geologist shall verify whether the petitioner has a pass at the time of seizure.

- iii. If the petitioner has a pass, the vehicle shall be released to the petitioner without any conditions.
- iv. If the petitioner do not have pass at the time of seizure of the vehicle, it is for the District Geologist to permit the petitioner to compound the offence on payment of compounding fee determined by him.
- v. The District Geologist, Malappuram is suo motu impleaded as additional 2nd respondent.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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