

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. 37650 of 2015 (E)

PETITIONER :

**RAJAN, S/O.RAMAN, AGED 50 YEARS,
V.K.HOUSE,UTHINOOR P.O., KASARAGODE DIST.
OWNER OF JCB BEARING NO.KL-14-E-9692,
TIPPER BEARING NO.KL-60-H-4996.**

BY ADV. SRI.S.SHAJAHAN (ADOOR)

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
KASARAGODE DIST-671 721.**
- 2. THE SUB INSPECTOR OF POLICE,
CHEEMENI POLICE STATION, KASARGOD DIST-671 313.**

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:**

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 37650 of 2015

Dated this the 11th day of December, 2015

JUDGMENT

The petitioner's vehicles bearing Reg.Nos.KL-14-E-9692 and KL-60-H-4996, have 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 vehicles.

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 second 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 first 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.
- iii. Needful shall be done by the first respondent within a further period of two days from the date of reporting seizure by the second respondent.
- iv. 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**

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