

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. 37694 of 2015 (J)

PETITIONER :

**RAVI, S/O.CHANTHU, AGED 50 YEARS,
VALIYACHALIL HOUSE, MANIYATTU P.O.,
KASARAGODE DIST,
OWNER OF JCB BEARING NO.KL-60-A-1739,
TIPPER BEARING NO.KL-60-9944.**

BY ADV. SRI.S.SHAJAHAN (ADOOR)

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
KASARAGODE DIST - 671 121.**
- 2. THE SUB INSPECTOR OF POLICE,
CHEEMENI POLICE STATION,
KASARGOD DIST - 671 313.**

***ADDL.R3 IMPEADED**

***THE DISTRICT COLLECTOR, KASARAGOD.**

***ADDL.R3 IS SUO MOTU IMPEADED AS PER JUDGMENT DATED 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:**

sts

WP(C).No. 37694 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE MAHASSAR DATED 13/11/2015 PREPARED BY
 RESPONDENT**

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 37694 of 2015

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Dated this the 11th day of December, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-60-A-1739 has been seized alleging violation of the provisions of the the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking for a direction to the 2nd respondent to produce the vehicle before the 1st respondent.

2. Heard the learned Counsel for the petitioner and the learned Government Pleader.

3. Considering the facts and circumstances, the following directions are issued:

1. The District Collector, Kasaragod is suo moto impleaded as the additional 3rd respondent.
2. The 2nd respondent shall report the seizure before the District Collector within two days from the date of receipt of a copy of this judgment.

3. The District Collector 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.

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A.MUHAMED MUSTAQUE, JUDGE