

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

WP(C).No. 37850 of 2015 (E)

PETITIONER:

**ASHRAF P.M, AGED 51 YEARS,
S/O.MUSTHAFA, PUTHUKADAN HOUSE,
VENGOLA.P.O., PERUMBAVOOR,
ERNAKULAM, PIN - 683 556.**

**BY ADVS.SRI.P.N.SANTHOSH
SMT.K.P.GEETHA MANI**

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DISTRICT OFFICE ,
MINING & GEOLOGY DEPARTMENT,
CIVIL STATION, KAKKANAD, PIN - 682 030.**
- 2. THE SUB INSPECTOR OF POLICE,
THADIYITTAPARAMBA POLICE STATION,
PERUMBAVOOR, PIN - 686 670.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

- EXT. P1 : A TRUE COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY
 THE MOTOR VEHICLES DEPARTMENT IN RESPECT OF THE ABOVE
 VEHICLE.
- EXT. P2 : A TRUE COPY OF THE GOODS CARRIAGE PERMIT DATED 10.4.2015
 WHICH IS VALID TILL 9.4.2020 IN RESPECT OF THE ABOVE VEHICLE.
- EXT. P3 : A TRUE COPY OF THE FORM O(A) DATED 10.12.2015 IN RESPECT OF
 THE CONSIGNMENT ISSUED BY THE QUYARRY OWNER.
- EXT. P4 : A TRUE COPY OF THE FIR NO.1003 DATED 11.12.2015 AND
 REGISTERED AS CRIME NO.748/15 OF THADIYITTAPARAMBU POLICE
 STATION ALONG WITH THE SEIZER MAHAZER.
- EXT. P5 : A TRUE COPY OF THE APPLICATION DATED 11.12.2015 SUBMITTED BY
 THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 37850 of 2015

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Dated this the 14th day of December, 2015

J U D G M E N T

The Petitioner's vehicle bearing Reg.No.KL-40K-9929 has been seized alleging violation of the provisions of the Kerala Minor Mineral Concession Rules, 2015.

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 2nd 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 1st 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/-

sab

A.MUHAMED MUSTAQUE, JUDGE