

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF DECEMBER 2015/25TH AGRAHAYANA, 1937

WP(C).No. 38125 of 2015 (M)

PETITIONER(S):

**SALAM, SON OF MUHAMMED,
AGED 40 YEARS, NAMBIATH HOUSE,
KARIMBUZHA P.O., OTTAPPALAM,
PALAKKAD DISTRICT, (OWNER OF
LORRY BEARING REGISTRATION NO.KL-51-A-7693).**

BY ADV. SRI.P.M.ZIRAJ.

RESPONDENT(S):

- 1. THE TAHSILDAR, OTTAPPALAM TALUK,
PALAKKAD DISTRICT, PIN-679 513.**
- 2. THE VILLAGE OFFICER,
SREEKRISHNAPURAM-I VILLAGE,
PALAKKAD DISTRICT, PIN-679 513.**
- 3. SUB INSPECTOR OF POLICE,
SREEKRISHNAPURAM POLICE STATION,
PALAKKAD DISTRICT, PIN-679 513.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 38125 of 2015 (M)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXT.P1 COPY OF THE MAHAZAR PREPARED BY THE SECOND RESPONDENT
DATED 02/12/2015.**

**EXT.P2 COPY OF THE JUDGMENT OF THIS HONOURABLE COURT
DATED 03/12/2015 IN WP(C).NO.36616/2015.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 38125 of 2015

Dated this the 16th day of December, 2015

J U D G M E N T

The petitioner is the owner of a lorry bearing Reg.No.KL-51-A-7693, which has been seized by the 2nd respondent alleging violation of the Kerala Minor Mineral Concession Rules, 2015.

2. The petitioner seeks a direction to produce the vehicle before the Judicial First Class Magistrate to enable him to release the vehicle for interim custody.

Considering the facts and circumstances of the case, there shall be a direction to respondents 1 & 2 to produce the vehicle before the 3rd respondent within a period of two days. Thereafter, the 3rd respondent shall produce the vehicle before the competent Judicial First Class Magistrate within a further period of two days. If the petitioner moves an application for interim custody of the vehicle, the Judicial First Class Magistrate shall consider

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the application within three days. The Tahsildar shall also file a report in this regard either before the District Collector or before the District Geologist. Either the District Collector or the District Geologist shall take necessary action under the Kerala Minor Mineral Concession Rules, 2015.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE