

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38772 of 2015 (V)

PETITIONER :

**RAJEESH C.,
S/O.SATHI, KALIYANTAVIDA HOUSE,
KOTTAYAMPOIL, THALASSERY.**

**BY ADVS.SRI.R.MOHANA BABU
SRI.SHERRY J. THOMAS
SRI.ARUN ALEX
SRI.M.AJITH (KARICODE)**

RESPONDENT(S) :

- 1. DISTRICT COLLECTOR
KANNUR-670 001.**
- 2. REVENUE DIVISIONAL OFFICER
THALASSERY, KANNUR-670 001.**
- 3. STATION HOUSE OFFICER
KADHIROOR POLICE STATION, THALASSERY,
KANNUR-670 001.**
- 4. ASSISTANT MOTOR VEHICLE OFFICER
REGIONAL TRANSPORT OFFICE, THALASSERY,
KANNUR- 670 001.**

R1 TO R4 BY GOVT. PLEADER SRI. M.R. ARUNKUMAR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 38772 of 2015 (V)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT-P1a: THE TRUE COPY OF THE R.C.BOOK OF THE VEHICLE.

**EXHIBIT-P1b: THE TRUE COPY OF THE GOODS CARRIAGE PERMIT OF THE
VEHICLE.**

EXHIBIT-P1c: THE TRUE COPY OF THE INSURANCE CERTIFICATE OF THE VEHICLE.

EXHIBIT-P1d: THE TRUE COPY OF THE DRIVING LICENCE OF THE PETITIONER.

**EXHIBIT-P2: THE TRUE COPY OF THE MAHAZER PREPARED BY THE OFFICIALS OF
THE 2ND RESPONDENT.**

**EXHIBIT-P3: THE TRUE COPY OF THE ORDER DATED 20.10.2015 OF ADDL.CHIEF
JUDICIAL MAGISTRATE COURT, THALASSERY.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 38772 of 2015

Dated this the 21st day of December, 2015

JUDGMENT

The petitioner's vehicle bearing Registration No.KL-58-F7170, has been seized alleging violation of Kerala Protection of River Banks and Regulation of Removal of Sand Act. The petitioner approached this Court seeking a release of the vehicle.

2. The petitioner has already approached the Additional Chief Judicial First Class Magistrate Court, Thalassery as per Ext.P3 ordered to release of the vehicle on deposit of 30% of the value. Therefore, I do not find any reason to interfere with that order.

3. However, the second respondent shall complete the proceedings for confiscation within a period of two months

from the date of receipt of a copy of this judgment, after hearing the petitioner.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr