

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. 38824 of 2015 (C)

PETITIONER :

**JAMSHEER,S/O.USMAN, AGED 26 YEARS,
RAYAMARAKKAR VEETIL, KANDANASSERY VILLAGE,
KANDANASSERY.P.O., THALAPPILLY TALUK,
THRISSUR DISTRICT-680 102 (OWNER OF THE TIPPER
LORRY BEARING REGISTRATION NO.KL-02-Y-9631)**

BY ADV. SRI.P.M.ZRAJ

RESPONDENT(S):

- 1. THE SUB INSPECTOR OF POLICE,
KUTTIPURAM POLICE STATION,
MALAPPURAM DISTRICT, PIN-676 505**
- 2. THE REVENUE DIVISIONAL OFFICER,
THIRUR, MALAPPURAM DISTRICT, PIN-676 502**
- 3. THE DISTRICT COLLECTOR,
MALAPPURAM DISTRICT, PIN-676 505**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695 001**

BY GOVERNMENT 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:**

sts

WP(C).NO.38824/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE FIR NO.0734/2015 OF KUTTIPURAM POLICE STATION
PREPARED BY THE FIRST RESPONDENT.**
- P2 COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 22/11/2014
IN WPC.NO.31228 OF 2014.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 38824 of 2015

Dated this the 21st day of December, 2015

JUDGMENT

The petitioner's vehicle bearing registration No.KL-02-Y-9631 has been seized alleging transport of river sand without permit. The petitioner requested the Revenue Divisional Officer to take the sample and send the same for analysis by the 4th respondent. It is submitted by the counsel for the petitioner that the sample has already been taken. In view of the above, there shall be a direction to the second respondent to forward the sample to be analysed by the 4th respondent. Needful shall be done within two weeks. Thereafter, the 4th respondent shall send its report after analysing to the second respondent within a further period of two weeks. Based on the receipt of report from the 4th respondent, the second respondent shall finalise the

proceedings within two weeks after hearing the petitioner. Till a decision is taken in the matter, the petitioner shall not be arrested pursuant to Ext.P1 FIR. Till a decision is taken by the Revenue Divisional Officer, Ext.P1 proceedings shall stand suspended.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE
JUDGE

bpr