

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. 38993 of 2015 (Y)

PETITIONER(S):

**MURALI C.N., AGED 44 YEARS,
S/O.NARAYANAN, CHUTTIMALYIL VEEDU,
PENNUKKARA, ALA VILLAGE,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT.**

BY ADV. SRI.AJITH MURALI

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ALAPPUZHA, ALAPPUZHA DISTRICT - 688 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
CHENGANNUR, ALAPPUZHA DISTRICT - 689 121.**
- 3. THE SUB INSPECTOR,
CHENGANNUR POLICE STATION,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT - 689 121.**
- 4. THE SENIOR GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, CHERTHALA,
ALAPPUZHA, ALAPPUZHA DISTRICT - 688 543.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

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

msv/

WP(C).No. 38993 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: THE TRUE COPY OF THE REPORT AND MAHAZER PREPARED BY THE
3RD RESPONDENT DTD.19.12.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

A.Muhamed Mustaque, J.

=====

W.P.(C)No.38993 of 2015

=====

Dated this the 21st day of December, 2015.

JUDGMENT

1. The petitioner's vehicle bearing Reg.No.KL-25-A-4238 has been seized alleging violation of the provisions of the Kerala Minor Mineral Concession Rules, 2015. The petitioner has approached this Court seeking for a direction to the third respondent to release the above vehicle.
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 third respondent shall report the seizure before the 4th respondent within two days from the date of receipt of a copy of this judgment.
 - ii) The 4th 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.

- iii. Needful shall be done by the 4th respondent within a further period of two days from the date of reporting seizure by the third respondent.
- iv. 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.

A.MUHAMED MUSTAQUE, JUDGE

sl.