

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 39284 of 2015 (I)

PETITIONER :

**A.P. ISMAIL, AGED 42 YEARS,
S/O.SAIDALI KUTTY, ANNACHAMPALLY HOUSE,
CHERIYAMUNDAM P.O., TIRUR, MALAPPURAM DISTRICT.**

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS :

1. REVENUE DIVISIONAL OFFICER, TIRUR- 676101

2. THE DISTRICT GEOLOGIST, MANJERI - 676301

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 39284 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE REGISTRATION CERTIFICATE OF GOODS CARRIAGE BEARING REG.NO.KL-13U/6854.

EXHIBIT-P2: TRUE COPY OF THE O(A) PASS ISSUED UNDER THE KERALA MINERALS (PREVENTION OF ILLEGAL MINING STORAGE AND TRANSPORTATION) RULES.

EXHIBIT-P3: TRUE COPY OF THE ACKNOWLEDGMENT FOR SEIZURE OF THE VEHICLE UNDER FORM Q.

EXHIBIT-P4: TRUE COPY OF THE JUDGMENT DATED 11.12.2015 IN W.P.(C) NO.37390/2015 OF THIS HONOURABLE COURT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 39284 of 2015

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Dated this the 22nd day of December, 2015

J U D G M E N T

The Petitioner's goods carriage bearing Reg.No.KL-13-U-6854 has been seized by the respondent alleging violation of the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules.

2. The petitioner submits that he has a pass at the time of seizure.

3. Considering the facts and circumstances, the following directions are issued:

- i) The first respondent shall report the seizure before the District Geologist within two days from the date of receipt of a copy of this judgment.
- ii) The District Geologist shall verify whether the petitioner has a pass at the time of seizure.
- iii) If the petitioner has a pass, the vehicle shall be released

to the petitioner without any conditions.

iv) If the petitioner does not have pass at the time of seizure of the vehicle, it is for the District Geologist to permit the petitioner to compound the offence on payment of compounding fee determined by him.

The writ petition is disposed of as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE