

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 29TH DAY OF DECEMBER 2015/8TH POUSHA, 1937

WP(C).No. 39977 of 2015 (V)

PETITIONER :

T.R.SREEKUMAR,
S/O RADHAKRISHNAN NAIR, THAMARASSERIL HOUSE,
KANDALLOOR NORTH, PATTOLI MARKET, KAYAMKULAM.

BY ADVS.SRI.R.SUNILKUMAR
SMT.A.SALINI LAL

RESPONDENTS :

1. DISTRICT COLLECTOR,
COLLECTORATE, ALAPPUZHA, PIN:688001.
2. THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY DEPARTMENT,
ALAPPUZHA, PIN:688001.
3. SUB INSPECTOR OF POLICE,
CHENGANNUR POLICE STATION, CHENGANNUR, PIN:689121.

BY GOVERNMENT PLEADER SRI.T.R.RAJESH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
29-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.39977 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS :-

EXHIBIT P1 : COPY OF THE R.C. BOOK.

EXHIBIT P2: COPY OF THE SEIZURE MAHAZAR.

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.39977 of 2015

Dated this the 29th day of December, 2015

JUDGMENT

The petitioner is the owner of a vehicle bearing registration No.KL-29-G-644. The vehicle 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 respondents 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 3rd respondent shall report the seizure before the 2nd respondent within two days from the date of receipt of a copy of this judgment.
- ii) The 2nd 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 2nd respondent within a further period of two days from the date of reporting seizure by the 3rd 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.

Sd/-
ANIL K.NARENDRA, JUDGE

skj

True copy
P.A to Judge