

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

FRIDAY, THE 08TH DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9667 OF 2020

PETITIONERS:

1. GEORGEKUTTY,
POLACHIRA HOUSE,
NALUKODI P.O, PAIPPAD,
KOTTAYAM DISTRICT-PIN- 686 548
(OWNER OF JCB BEARING REGISTRATION NO: KL-05-V-826)

2. REHIYANATHSALI
PUTHUPPARAMBIL HOUSE,
PERUMPANACHY P.O, CHANGANASSERY,
KOTTAYAM DISTRICT-PIN- 686 536
(OWNER OF TIPPER LORRY BEARING
REGISTRATION NO: KL-33-C-9066)

BY ADV T P PRADEEP

RESPONDENTS:

1. THE GEOLOGIST
DISTRICT OFFICE,
DEPARTMENT OF MINING& GEOLOGY ,
CIVIL STATION, KOTTAYAM , PIN - 686 002

2. THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM PIN - 686 002

3. INSPECTOR OF POLICE,
THRIKKODITHANAM POLICE STATION,
THRIKKODITHANAM P.O,
KOTTAYAM PIN- 686 104

R1-3 BY SRI. GOVERNMENT PLEADER SRI.K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
08.05.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Dated this the 8th day of May, 2020

JUDGMENT

This Writ Petition is filed seeking a direction for release of vehicles bearing registration Nos.KL-05-V-826 and KL-33-C-9066 which is stated to have been seized for alleged commission of offences under the provisions of the Mines and Minerals (Development and Regulation) Act and the Kerala Minor Mineral Concession Rules. The petitioner states that he has preferred an application for compounding the offences, on 29.4.2020 and that the first respondent is authorised to approve such application.

2. In view of the facts and circumstances of the case, it is appropriate that a direction be issued to the first respondent to consider and pass appropriate orders on Ext.P4. The first respondent shall afford an opportunity for hearing the petitioner, if there are any circumstances warranting the rejection of Ext.P4. Orders on

Ext.P4 shall be passed as expeditiously as possible, at any rate, within six weeks from the date of production of a copy of this judgment. The petitioner shall produce a copy of the writ petition and this judgment before the 1st respondent for compliance.

GOPINATH.P, JUDGE

pm

APPENDIX

PETITIONER'S EXHIBITS

EXT P1: TRUE COPY OF RELEVANT PAGES OF R.C BOOK OF JCB
BEARING REGISTRATION NO: KL-05-V-826

EXT P2 : TRUE COPY OF RELEVANT PAGES OF R.C BOOK OF TIPPER
LORRY BEARING REGISTRATION NO: KL-33-C-9066

EXT P3 : TRUE COPY OF THE SEIZURE MAHAZAR DATED 06.03.2020

EXT P4 : TRUE COPY OF THE COMPOUNDING PETITION DATED
29.04.2020