

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE GOPINATH.P.
WEDNESDAY, THE 15TH DAY OF MAY,2020/25TH VAISAKHA, 1942
W.P(C) NO. 9916 OF 2020

PETITIONER :

SONY P SAM, AGED 37 YEARS,
S/O PHILIPOSE SAMUEL,
KURANITH PUTHEN VEEDU,
KOLLAKADAVU P.O.,
CHERIYANAD,
CHENGANNUR TALUK, ALAPPUZHA DISTRICT.

BY ADV. SRI. K.V.ANIL KUMAR

RESPONDENTS

1. STATE OF KERALA REPRESENTED BY THE GOVERNMENT PLEADER,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI, PIN: 682 031
2. THE DEPUTY COLLECTOR, ALAPPUZHA,
ALAPPUZHA DISTRICT, PIN:- 688 001.
3. TAHSILDAR, TALUK OFFICE CHENGANNUR,
CHENGANNUR P.O., ALAPPUZHA DISTRICT, PIN:- 689 121.
4. VILLAGE OFFICER, CHERIYANAD VILLAGE,
CHERIYANAD P.O., ALAPPUZHA DISTRICT, PIN:- 689 506.
5. AGRICULTURE OFFICER, CHERIYANAD KRISHI BHAVAN,
CHERIYANAD P.O., ALAPPUZHA DISTRICT, PIN:- 689 506.
6. THE SENIOR GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, ALAPPUZHA DISTRICT, PIN:- 685 584.

BY GOVERNMENT PLEADER SRI.K.P.HARISH

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 15.05.2020,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Dated this the 15th day of May, 2020

JUDGMENT

The petitioners approached this Court on the allegation that his vehicles have been illegally seized by the deputy Thahsildar, Chengannur on the allegation that there is illegal extraction and attempt at transportation of red earth. When the writ petition came up for consideration today, the learned counsel for the petitioner submits that he would be satisfied with a direction to the second respondent consider and pass orders on Exts. P6 and P7 representations submitted by him after affording to him an opportunity of being heard. Since the learned counsel for the petitioner has pointed out that he is in a very difficult financial position and is unable to pay the hypothecation amount of the vehicles due to the seizure, I direct the second respondent to

consider and pass orders on Exts.P6 and P7 as expeditiously as possible, and at any rate within three weeks from the date of receipt of a copy of this judgment. If the 2nd respondent is not empowered to pass final orders on Exts.P6 and P7, he shall forward the application to the competent authority who shall consider the same and pass appropriate orders thereon within a period of three weeks from the date of receipt of a report from the second respondent.

This Writ Petition stands disposed of as above.

GOPINATH.P, JUDGE

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT-P1: A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF KL-24-B-3766 TI PPER LORRY.

EXHIBIT-P2: A TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF KL-38-A-1080 EXCAVATOR (JCB).

EXHIBIT-P3: A TRUE COPY OF THE MAHAZAR DATED 28.04.2020 PREPARED BY THE DEPUTY TAHSILDAR, CHENGANNUR TALUK OFFICE.

EXHIBIT-P4: A TRUE COPY OF THE CONSENT LETTER DATED 25.04.2020 ISSUED BY THE POOMATTIL PUNCHA PADASEKHARA SAMITHY.

EXHIBIT-P5: A TRUE COPY OF THE LETTER ISSUED BY THE 5TH RESPONDENT.

EXHIBIT-P6: A TRUE COPY OF THE REQUEST DATED 04.05.2020 BEFORE THE 2ND RESPONDENT.

EXHIBIT-P7: A TRUE COPY OF THE REQUEST DATED 06.05.2020 BEFORE THE 2ND RESPONDENT.

RESPONDEDNTS EXHIBITS: NIL