

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. 9953 OF 2020

PETITIONER:

ANTONY PAUL RAJ A , AGED 38 YEARS, S/O ABRAHAM,
KUNCHAPPANCHALLA HOUSE, PAMPAMPALLAM POST,
PUDYSSERY CENTRAL, KANJIKODE, PALAKKAD DT. 678621.

BY ADVOCATE SHOBY K FRANCIS

RESPONDENTS:

1 THE SUB DIVISIONAL MAGISTRATE/ REVENUE DIVISIONAL OFFICER,
OFFICE OF RDO, PALAKKAD -678001.

2 SUB- INSPECTOR OF POLICE , VALAYAR POLICE STATION,
VALAYAR PO, PALAKKAD DT. 678624

BY GOVERNMENT PLEADER

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

ORDER

Admit.

The learned Government Pleader takes notice for respondents.

The Government Pleader points out that the District Geologist is also a necessary party to the writ petition, in view of the contentions raised by the petitioner that he was transporting only ordinary sand and not river sand.

The petitioner shall take steps to implead the District Geologist, Palakkad as additional respondent in the writ petition.

In the meanwhile, there will be a direction to the first respondent to consider the releasing the interim custody of vehicle to the petitioner, in terms of the law laid down by the Court in ***Shan C.T v. State of Kerala and***

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others (2010 (3) KHC 333), within a period of two weeks from today.

Post on 19.05.2020.

Sd/-

**GOPINATH P
JUDGE**

SMA

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT P-1. TRUE COPY OF THE SEIZURE MAHAZAR DATED 29-04-2020 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXHIBIT P-2. TRUE COPY OF THE OBJECTION CUM REQUEST FOR INTERIM RELEASE OF THE VEHICLE DATED 6-5-2020 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.