

Haris Vs. the District Collector

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Court : Kerala

Decided On : Dec-20-2012

Judge : Honourable Mr.Justice T.R.Ramachandran Nair

Appellant : Haris

Respondent : The District Collector

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR THURSDAY, THE 20TH DAY OF DECEMBER 2012 29TH AGRAHAYANA 193 WP(C).No. 31056 of 2012 (F) ----- PETITIONER(S): ----- HARIS, S/O.ABDULLA, THORATH HOUSE, URANGATTIRI MYTHRA P.O., MALAPPURAM. BY ADVS.SRI.K.M.FIROZ SMT.M.SHAJNA RESPONDENT(S): ----- THE DISTRICT COLLECTOR, COLLECTORATE, CIVIL STATION KOZHIKODE DISTRICT

001. BY GOVERNMENT PLEADER SMT.SAREENA GEORGE THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-12-2012, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: WP(C).No. 31056 of 2012 APPENDIX PETITIONER(S) EXHIBITS EXHIBIT P1. A TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE VEHICLE BEARING NO.KL 1.P 277.BELONGING TO THE PETITIONER. EXHIBIT P2. A TRUE COPY OF THE VALUATION REPORT DATED 20 11.2012 OF THE VEHICLE BEARING NO KL

1.P 277.SUBMITTED BY THE ASSISTANT MOTOR VEHICLE INSPECTOR BEFORE THE DISTRICT COLLECTOR. EXHIBIT P3. A TRUE COPY OF THE INTERIM APPLICATION DATED 30 11.2012 SUBMITTED BY THE PETITIONER BEFORE THE DISTRICT COLLECTOR, KOZHIKODE. /true copy/ sd/- P.A. To Judge mr cs T.R. RAMACHANDRAN NAIR, J.

~~~~~ W.P.(C).

No.31056/2012

~~~~~ Dated this the 20th day of December, 2012

JUDGMENT

The petitioner seeks for a direction to the District Collector to take a decision on Ext.P3 since the valuation of the vehicle has already been obtained as per Ext.P2 communication. The petitioner submits that the adjudication proceedings are still pending and the delay will defeat the rights of the petitioner and, therefore, the application for interim release of the vehicle has been filed as per Ext.P3.

2. It is upto the District Collector to pass appropriate orders in terms of the provisions of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. The decision will be taken within a period of one month from the date of production of a certified copy of this Judgment along with a copy of the writ petition. The writ petition is disposed of as above. No costs. Sd/- (T.R. Ramachandran Nair, Judge.) ms

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