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Imthiyas vs the District Geologist

Imthiyas vs the District Geologist

SooperKanoon Citation : sooperkanoon.com/1334124

Court : Kerala

Decided On : Jan-31-2023

Judge : Honourable Mrs. Justice Anu Sivaraman

Appeal No. : WP(C)/2431/2023

Appellant : Imthiyas

Respondent : The District Geologist

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 PETITIONERS :- 1 IMTHIYAS, AGED 44 YEARS S/O.KUNHIMOHAMMED, MACHINCHERY HOUSE, NILAPARAMBA, KURUKA P.O, PERUMANNA, 2 JASHIR, AGED 29 YEARS S/O.ABDU NAZAR, KARINKAPPARA, THARAYENGAL HOUSE, MANNRAKKAL CHILAVIL, PONMUNDAM P.O., MALAPPURAM DISTRICT, PIN - 676 106 3 JAMSHEER T, AGED 35 YEARS S/O.AYISHA, THALIPATT HOUSE, PAKARA, TANALUR P.O., MALAPPURAM DISTRICT, PIN - 676 307 BY ADV K.RAKESH RESPONDENTS :- 1 THE DISTRICT GEOLOGIST DEPARTMENT OF MINING AND GEOLOGY, MINI CIVIL

STATION, MANJERI, MALAPPURAM DISTRICT, PIN - 676 121 2 THE SUB INSPECTOR OF POLICE KALPAKANCHERY POLICE STATION, BY SMT.PARVATHY K, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -: 2 :-

JUDGMENT

Dated this the 31st day of January, 2023 This writ petition is filed seeking directions to the 2 nd respondent to report the seizure of the tipper lorries bearing registration Nos.KL-11-AB-7259, KL-55-AG-2976 and KL-55-AF-9142 of the petitioners to the 1 st respondent so as to enable them to compound the offence alleged against them.

2. The learned counsel for the petitioners submits that Ext.P1 is the seizure mahazar in respect of the vehicles and that the vehicles were seized on 18.1.2023.

3. Having heard the learned Government Pleader also, this writ petition is disposed of with the following directions :- In case the seizure of the tipper lorries bearing registration Nos.KL-11-AB-7259, KL-55-AG-2976 and KL- 55-AF-9142 belonging to the petitioners have not been reported to the 1st respondent, the 2nd respondent shall report the same to the 1st respondent within two days from -: 3 :-

today. In case the petitioners make requests for compounding before the 1st respondent, such requests will be taken up and considered in accordance with law, within a period of one week from the date on which the requests are made by the petitioners. Sd/- ANU SIVARAMAN JUDGE Jvt/2.2.2023 -: 4 :- APPENDIX OF WP(C) 2431/2023 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE MAHAZAR PREPARED BY THE 2ND RESPONDENT DATED, 18-1-2023

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