

Abbas vs the District Collector

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SooperKanoon Citation : sooperkanoon.com/1690084

Court : Kerala

Decided On : Dec-10-2021

Judge : Honourable Mr. Justice Shaji P.Chaly

Appeal No. : WP(C)/14560/2011

Appellant : ABBAS

Respondent : The District Collector

Judgement :

WP(C) NO. 3959 OF 2011 HUSSAIN KARIPARAMBATH HOUSE, KALLUPALAM,, KADAMPUZHA P.O., MALAPPURAM DISTRICT. BY ADV SRI.BABU S. NAIR 1 THE REVENUE DIVISIONAL OFFICER, TIRUR, PIN-676 101. 2 THE VILLAGE OFFICER CHERIYAMUNDOM MALAPPURAM DISTRICT, PIN-676 111. 3 THE SUB INSPECTOR OF POLICE KALPAKANCHERY POLICE STATION,, MALAPPURAM DISTRICT, PIN-676 551. SRI.TEKCHAND.V, SENIOR GOVERNMENT PLEADER 10.12.2021, ALONG WITH WP(C) NOS. 14560 & 33702 of 2011 & 10805, 10807, 1339, 16357 & 18110 of 2012], THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C) No. 3959/2011 & batch :2: WP(C) NO. 14560 OF 2011 ABBAS, S/O. ALAVI, PANTHEERANKAVU,PAYYADIMEETHAL,PERUVAYAL,, KOZHIKODE DISTRICT. BY ADV SRI.BABU S. NAIR RESPONDENTS: 1 THE DISTRICT COLLECTOR PIN-673 301. 2 THE REVENUE DIVISIONAL OFFICER KOZHIKODE,PIN-673 301. 3 THE JUNIOR SUPERINTENDENT, TALUK OFFICE

KOZHIKODE, KOZHIKODE DISTRICT, PIN-673 301. W.P.(C) No. 3959/2011 & batch :3: WP(C) NO. 33702 OF 2011 JUBY PHILIP AGED 31 YEARS, S/O. PHILIP, VETTIKKAL HOUSE,, UPPUTHODU P.O., IDUKKI DISTRICT. BY ADVS. SRI.BABU S. NAIR SMT.SMITHA BABU 1 THE SUB COLLECTOR IDUKKI, PIN-685 602. 2 THE ADDITIONAL TAHSILDAR THODUPUZHA, IDUKKI DISTRICT, PIN-685 584. 3 THE VILLAGE OFFICER IDUKKI VILLAGE IDUKKI DISTRICT, PIN-685 602. W.P.(C) No. 3959/2011 & batch :4: WP(C) NO. 10805 OF 2012 RADHAKRISHNAN K.P. AGED 30 YEARS S/O.VELAPPAN, RITHU NIVAS, KARIKKALODI PARAMBIL, TRIKANDIYOOR, TIRUR, MALAPPURAM. (REGD.NUMBER KL-55-B-1966 TIPPER). BY ADV SRI.K.K.MOHAMED RAVUF 1 THE ADDL. TAHSILDAR, TIRUR PIN 676 101. 2 THE SUB INSPECTOR OF POLICE KALPAKANCHERRY, PIN 675 561. BY ADV SRI. TEK CHAND, SR. GOVERNMENT PLEADER W.P.(C) No. 3959/2011 & batch :5: WP(C) NO. 10807 OF 2012 BASHEER T.P. AGED 27 YEARS S/O.ALIKUTTY, THEKKEPEEDIYAKKAL HOUSE, THIRUNAVAYA, (REGISTERED OWNER OF KL-55-H-3817 TIPPER). BY ADV SRI.K.K.MOHAMED RAVUF 1 THE ADDL. TAHSILDAR, TIRUR PIN-676 101. 2 THE S.I. OF POLICE KALPAKANCHERRY, PIN-676101, TIRUR. BY ADV. SRI. TEK CHAND, SR. GOVERNMENT PLEADER W.P.(C) No. 3959/2011 & batch :6: WP(C) NO. 11339 OF 2012 P.SHETTY AGED 50 YEARS S/O.PONNUSWAMY, PALAVADY, KAVERUIPURAM P.O., METUR RALUK, SELAM DISTRICT, TAMIL NADU. (R.C.OWNER OF K.A.10 M 955 JCB). BY ADV SRI.K.K.MOHAMED RAVUF 1 THE VILLAGE ASSISTANT MANGALAM VILLAGE, TIRUR TALUK, MALAPPURAM DISTRICT, PIN 676 561. 2 THE AGRICULTURAL OFFICER MANGALAM VILLAGE, TIRUR TALUK, MALAPPURAM, PIN 676 561. 3 THE TAHSILDAR TIRUR, MALAPPURAM-676 101. W.P.(C) No. 3959/2011 & batch :7: WP(C) NO. 16357 OF 2012

1 ARUN KUMAR AGED 25 YEARS S/O.MATHEW, OTHALAMATTATHIL HOUSE, PERUMBAYIKKAD, KOTTAYAM DISTRICT. (REGISTERED OWNER OF A MINI LORRY BEARING NO. KL.05-X-1017) 2 RAJESH MATHEW, AGED 45 YEARS, S/O.P.M.MATHEW, PONGATHIL HOUSE, KATTACHIRA P.O, KIDANGOOR, KOTTAYAM DISTRICT. (REGISTERED OWNER OF A

MINI LORRY BEARING REGISTRATION NO.KL.05.AB.6036). BY
ADVS. SRI.BABU S. NAIR SMT.SMITHA BABU

1 THE DISTRICT COLLECTOR KOTTAYAM, PIN 686 001. 2 THE REVENUE
DIVISIONAL OFFICER KOTTAYAM PIN 686 001. 3 THE VILLAGE ASSISTANT
PEROOR VILLAGE, KOTTAYAM DISTRICT, PIN 686 637. W.P.(C) No.
3959/2011 & batch :8: WP(C) NO. 18110 OF 2012 K.K.DINESAN AGED 43
YEARS S/O.PRABHAKARAN, KANDANKULATHIL HOUSE, PARAMBIL
BAZEER, KOZHIKODE DISTRICT. BY ADVS. SRI.BABU S. NAIR SMT.SMITHA
BABU 1 THE DISTRICT COLLECTOR KOZHIKODE, PIN-673 001. 2 THE
REVENUE DIVISIONAL OFFICER KOZHIKODE, PIN-673 001. 3 THE VILLAGE
OFFICER KAKKODI VILLAGE, KOZHIKODE DIST, PIN-673 611. W.P.(C) No.
3959/2011 & batch :9: Dated this the 10th day of December, 2021.

JUDGMENT

[W.P.(C) Nos. 3959, 14560 & 33702 of 2011 & 10805, 10807, 11339, 16357 &
18110 of 2012] Captioned writ petitions are materially connected and the reliefs
sought for in the writ petitions are typical in nature. The reliefs sought for in
W.P.(C) No. 3959 of 2011 is extracted hereunder:

1. Issue a writ of mandamus or any other appropriate writ, order or direction
commanding the respondents to release the vehicle bearing registration No. KL-
55G/8771 to the petitioner forthwith.

2. Declare that the seizure of the vehicle of the petitioner by the second
respondent is illegal as he is not an authorised officer under Sections 12 and 19 of
the Kerala Paddy Land Wetland Act, 2008.

2. However, today, when the matter is taken up for

consideration, the learned counsel for the petitioners submitted that the writ
petitions have become infructuous. Accordingly, these writ petitions are dismissed
as infructuous. sd/- SHAJI P. CHALY, JUDGE. Rv