IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944
WP(C) NO. 17394 OF 2022

PETITIONER:

RAHUL P.U.
AGED 29 YEARS
S/O.UNNIKRISHNAN P.V.,
PADINJARE HOUSE,
THENOOR, PARLI,
PALAKKAD-678612.

BY ADV. BABU S. NAIR

RESPONDENTS:

- 1 THE GEOLOGIST
 DEPARTMENT OF MINING AND GEOLOGY,
 DISTRICT OFFICE,
 TOWN BUS STAND COMPLEX,
 PALAKKAD, PALAKKAD-678001.
- 2 THE REGIONAL TRANSPORT OFFICER REGIONAL TRANSPORT OFFICE, PALAKKAD, PALAKKAD - 678001.

BY SMT.DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944 WP(C) NO. 20520 OF 2022

PETITIONERS:

- 1 ABDUL SALAM P
 AGED 46 YEARS
 S/O.AMMED P.,
 PURAPPILATT HOUSE,
 MUYIPOTH, MEPPAYUR,
 KOZHIKKODE 673524
- 2 ABHIJITH P.M.
 AGED 26 YEARS
 S/O.ASHOKAN,
 KARAYATTUVALAPPIL HOUSE,
 NARAKKODE,
 KEEZHARIYOOR P.O.,
 KOZHIKKODE 673307.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE GEOLOGIST
 DEPARTMENT OF MINING AND GEOLOGY,
 DISTRICT OFFICE,
 KOZHIKKODE,
 KOZHIKKODE 673001.
- THE SPECIAL DEPUTY TAHSILDAR
 H SECTION, TALUK OFFICE, KOYILANDI,
 KOZHIKKODE 673305.
- 3 THE TAHSILDAR
 KOYILANDI TALUK,
 KOZHIKKODE 673305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944
WP(C) NO. 21614 OF 2022

PETITIONER:

BINEESH
AGED 38 YEARS
S/O.RAJAN,
CHITTADIPARAMBU HOUSE,
KOTTOOLI P.O.,
KOZHIKKODE - 673016.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE GEOLOGIST
 DEPARTMENT OF MINING AND GEOLOGY,
 DISTRICT OFFICE, KOZHIKKODE,
 KOZHIKKODE 673001.
- TALUK OFFICE, KOZHIKKODE, KOZHIKKODE 673001.
- 3 THE STATION HOUSE OFFICER KOZHIKKODE TOWN POLICE STATION, KOZHIKKODE - 673001.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944
WP(C) NO. 27053 OF 2022

PETITIONERS:

KARTHIKA C.K.
AGED 50 YEARS
W/O.KRISHNAN C.K.,
CHERUVAZHATH THAZHAKUNI HOUSE,
KURAVANGAD P.O.,
KOYILANDI,
KOZHIKKODE - 673101.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 KOYILANDI TALUK,
 KOZHIKKODE 673305.
- 2 THE VILLAGE OFFICER
 ARIKKULAM VILLAGE,
 KOZHIKKODE 673305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944

WP(C) NO. 27423 OF 2022

PETITIONER:

ABDUL RAFEEQUE C.K.
AGED 44 YEARS
S/O. MUHAMMED .C.K.,
AGED 44YEARS,
KUDUKKIL HOUSE,
ANDIYOORKUNNU,
VALIYAPARAMBA.P.O.,
PULIKKAL,
MALAPPURAM - 673637.

BY ADV K.V.GOPINATHAN NAIR.

RESPONDENTS:

- 1 THE DISTRICT GEOLOGIST
 DEPARTMENT OF MINING AND GEOLOGY,
 MINI CIVIL STATION, MANJERI,
 MALAPPURAM 676517.
- THE SUB INSPECTOR OF POLICE, KONDOTTY POLICE STATION, KONDOTTY, MALAPPURAM - 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA,1944 WP(C) NO. 29586 OF 2022

PETITIONER:

JAMSHID P
AGED 32 YEARS
S/O.MAMU,
PARAKOTTU HOUSE,
ILLATHUTHAZHAM,
PANTHEERANKAVU P.O.,
PERUMANNA,
KOZHIKKODE - 673019.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 KOZHIKKODE TALUK,
 KOZHIKKODE 673001.
- THE DEPUTY TAHSILDAR KOZHIKKODE TALUK, KOZHIKKODE - 673001.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944
WP(C) NO. 29827 OF 2022

PETITIONERS:

- 1 SAJEESH P.B.
 AGED 42 YEARS
 S/O.BALAN P.K.,
 PUTHANPURAKKAL HOUSE,
 KANJIRAKKODE,
 KUMARANALLUR,
 THRISSUR 680590.
- 2 KANNAN P.G.
 AGED 33 YEARS
 S/O.GOPALAN,
 PISANTHI PUNCHAYIL HOUSE,
 MANGAD, KOTTUPURAM,
 THRISSUR 680667.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE STATION HOUSE OFFICER ERUMAPETTY POLICE STATION, THRISSUR DISTRICT - 680584.
- THE GEOLOGIST

 DEPARTMENT OF MINING AND GEOLOGY,

 DISTRICT OFFICE, THRISSUR,

 THRISSUR 680001.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 29847 OF 2022}}{\text{MP(C) NO. 29847 OF 2022}}$

PETITIONER:

MUHAMMED RASHIK A
AGED 26 YEARS
S/O.ASSANKOYA A.,
ARAMBACHALIL HOUSE,
PAYADITHAZHAM,
PANTHEERANKAVU,
KOZHIKKODE - 673019.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE STATION HOUSE OFFICER VAZHAKKAD POLICE STATION, MALAPPURAM 673640.
- 2 THE GEOLOGIST
 DEPARTMENT OF MINING AND GEOLOGY,
 DISTRICT OFFICE, MANJERI,
 MALAPPURAM 676121.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 29973 OF 2022}}{\text{MP(C) NO. 29973 OF 2022}}$

PETITIONER:

ASHOK KUMAR
AGED 52 YEARS
S/O.RAMAKRISHNAN NAIR,
MARANCHERI PUTHANPURA HOUSE,
ASAMANNUR, PERUMBAVOOR,
ERNAKULAM - 683549.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 VATAKARA TALUK,
 KOZHIKKODE 673101.
- 2 THE DEPUTY TAHSILDAR VATAKARA TALUK, KOZHIKKODE 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 31585 OF 2022}}{\text{MP(C) NO. 31585 OF 2022}}$

PETITIONER:

SUBHADRA C.K.
AGED 65 YEARS
W/O.KUTTIKRISHNAN,
POOPARAMBIL HOUSE,
VARAVOOR P.O.,
THRISSUR - 680585.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE STATION HOUSE OFFICER
 WADAKKANCHERY POLICE STATION,
 WADAKKANCHERY, THRISSUR 680582.
- 2 THE DISTRICT GEOLOGIST
 DISTRICT OFFICE,
 DEPARTMENT OF MINING AND GEOLOGY,
 MINI CIVIL STATION,
 CHEMBUKKAVU,
 THRISSUR 680020.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

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IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 31607 OF 2022}}{\text{MP(C) NO. 31607 OF 2022}}$

PETITIONERS:

SREELESH
AGED 30 YEARS
S/O.SREENIVASAN,
NADUVILAYIL HOUSE,
KUNNATHARA, ULLIYERI,
MODAKKALLUR, ATHOLI,
KOZHIKKODE - 673315.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE STATION HOUSE OFFICER
 BALUSSERY POLICE STATION,
 BALUSSERY, KOZHIKKODE 673612.
- THE DISTRICT GEOLOGIST
 DISTRICT OFFICE,
 DEPARTMENT OF MINING AND GEOLOGY,
 CIVIL STATION,
 PALATTUTHAZHAM,
 KOZHIKKODE 673020.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 31997 OF 2022}}{\text{MP(C) NO. 31997 OF 2022}}$

PETITIONER:

SURAJ T.P.
AGED 38 YEARS
S/O.RAJAN E.M.,
VARAKANDY MEETHAL HOUSE,
KOLAKKAD P.O., ATHOLI,
KOZHIKKODE - 673315.

BY ADV K.RAKESH.

RESPONDENTS:

- 1 THE DEPUTY TAHSILAR
 TALUK OFFICE, KOYILANDI,
 KOZHIKKODE 673315.
- THE TAHSILDAR

 TALUK OFFICE, KOYILANDI,

 KOZHIKKODE 673315.
- 3 THE DISTRICT GEOLOGIST
 DISTRICT OFFICE,
 DEPARTMENT OF MINING AND GEOLOGY,
 KOZHIKKODE 673001.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 32240 OF 2022}}{\text{MP(C) NO. 32240 OF 2022}}$

PETITIONER:

ANNIE ISSAC AGED 61 YEARS W/O.PAILY ISSAC, KAVANAMATTOM HOUSE, ASAMANNOOR, ERNAKULAM - 683543.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 VATAKARA TALUK,
 KOZHIKKODE 673101.
- 2 THE DEPUTY TAHSILDAR VATAKARA TALUK, KOZHIKKODE 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 32252 OF 2022}}{\text{MP(C) NO. 32252 OF 2022}}$

PETITIONER:

JITHESH T.P.

AGED 47 YEARS

S/O.KRISHNAN,

THAVARAPARAMBATH HOUSE,

MAYYANNUR P.O,

VILLYAPPALLI,

KOZHIKKODE - 673542.

BY ADV BABU S. NAIR

RESPONDENTS:

- 1 THE TAHSILDAR

 VATAKARA TALUK,

 KOZHIKKODE 673101.
- 2 THE DEPUTY TAHSILDAR VATAKARA TALUK, KOZHIKKODE - 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 32272 OF 2022}}{\text{MP(C) NO. 32272 OF 2022}}$

PETITIONER:

ASHOK KUMAR M.R.
AGED 58 YEARS
S/O.RAMAKRISHNAN NAIR,
MARACHERI PUTHANPURA HOUSE,
METHALA P.O., ASAMANNUR,
ERNAKULAM - 683545.

BY ADV BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 VATAKARA TALUK,
 KOZHIKKODE 673101.
- 2 THE DEPUTY TAHSILDAR VATAKARA TALUK, KOZHIKKODE 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944
WP(C) NO. 33168 OF 2022

PETITIONERS:

- 1 JULAISE
 AGED 42 YEARS
 S/O.MAMMAD KOYA,
 THAMARAMANGALATH KUNIYIL,
 CHELANNUR, KANNANKARA,
 KOZHIKKODE 673616.
- 2 P.C. ASHARAF
 AGED 50 YEARS
 S/O.HUSSAIN,
 PERIKORACHALIL HOUSE,
 NARIKKUNI,
 KOZHIKKODE 673585.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE STATION HOUSE OFFICER KAKKUR POLICE STATION, KOZHIKKODE 673613.
- 2 THE DISTRICT GEOLOGIST
 DISTRICT OFFICE,
 DEPARTMENT OF MINING AND GEOLOGY,
 CIVIL STATION, PALATTUTHAZHAM,
 KOZHIKKODE 673020.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 33438 OF 2022}}{\text{MP(C) NO. 33438 OF 2022}}$

PETITIONER:

BINU P.,
AGED 45 YEARS
S/O. PURUSHOTHAMAN,
ANIL BHAVAN, VATTAPPARA,
KOTTAVATTOM P.O,
KOLLAM-691322.

BY ADV. SERGI JOSEPH THOMAS.

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR,
 KOLLAM, COLLECTORATE,
 KOLLAM 691013.
- 2 THE REVENUE DIVISIONAL OFFICER, PUNALUR 691305.
- 3 THE TAHSILAR, (L.R), PUNALUR 691305.
- 4 THE STATION HOUSE OFFICER, PUNALUR POLICE STATION - 691305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 33515 OF 2022

PETITIONER:

SHIBILAL N
AGED 36 YEARS
S/O.SIVADASAN,
PUNNATHUVAYALIL HOUSE,
MOODADI, MUCHUKUNNU,
KOZHIKKODE - 673307.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 KOYILANDI TALUK,
 KOZHIKKODE 673101.
- 2 THE VILLAGE OFFICER
 KEEZHARIYUR VILLAGE,
 KOZHIKKODE 673307.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 33673 OF 2022

PETITIONERS:

- 1 MUHAMMED RASHIK A
 AGED 31 YEARS
 S/O.ASSANKOYA A.,
 ARAMBACHALIL HOUSE,
 PAYADITHAZHAM,
 PANTHEERANKAVU,
 KOZHIKKODE 673019.
- 2 ANAS C.K.
 AGED 33 YEARS
 S/O.VEERANKUTTY
 THEERKULATH HOUSE,
 CHEMMANGOTTUKUTTIYIL,
 CHELEMBRA P.O.,
 MALAPPURAM 673631.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- THE INSPECTOR OF POLICE/STATION HOUSE OFFICER, KONDOTTY POLICE STATION, MALAPPURAM - 673638.
- 2 THE SUB INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944
WP(C) NO. 33861 OF 2022

PETITIONER:

SANTHOSH N.K.

AGED 45 YEARS

S/O.DASAN,

THAZHE ELENTHANGATTU HOUSE,

RAMANATTUKARA P.O.,

KOZHIKKODE - 673633.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE/STATION HOUSE OFFICER KONDOTTY POLICE STATION,
 MALAPPURAM 673638.
- 2 THE SUB INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 33865 OF 2022

PETITIONER:

ARUNJITH C
AGED 35 YEARS
S/O.CHERUNNI C.,
THAYYIL HOUSE, PULIKKAL,
MALAPPURAM - 673637.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE/STATION HOUSE OFFICER KONDOTTY POLICE STATION, MALAPPURAM - 673638.
- THE SUB INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM - 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 33874 OF 2022

PETITIONER:

SUDHEER T
AGED 43 YEARS
S/O.NARAYANAN T.,
THEEYATH HOUSE,
VALIYAPARAMBIL,
FEROKE P.O.,
KOZHIKKODE - 673631.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE/STATION HOUSE OFFICER KONDOTTY POLICE STATION, MALAPPURAM 673638.
- 2 THE SUB INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM - 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944

WP(C) NO. 33941 OF 2022

PETITIONER:

SHAJI
AGED 39 YEARS
S/O THIRUMALA,
AGED 39, MANAYATH THAZHAM,
KEEZHARIYOOR, KOILANDY,
CALICUT - 673305.

BY ADV. K.M.FIROZ.

RESPONDENTS:

- 1 STATE OF KERALA

 REPRESENTED BY SECRETARY TO GOVERNMENT,

 REVENUE DEPARTMENT, SECRETARIAT,

 THIRUVANANTHAPURAM 695001.
- TALUK OFFICE, KOILANDY TALUK, KOZHIKODE 673305.
- 3 THE DEPUTY TAHSILDAR
 TALUK OFFICE, KOILANDY TALUK,
 KOZHIKODE 673305.
- JUNIOR SUPERINTENDENT TALUK OFFICE, KOILANDY TALUK, KOZHIKODE - 673605.
- 5 THE DISTRICT COLLECTOR COLLECTORATE, CIVIL STATION, KOZHIKODE DISTRICT - 673020.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 34133 OF 2022

PETITIONERS:

- 1 VIJESH P
 AGED 34 YEARS
 S/O.VIJAYAN, 12/478,
 PAZHAMKANDATHIL HOUSE,
 SUKAPURAM P.O., EDAPPAL,
 MALAPPURAM 679576.
- 2 SHAJEER N.P.
 AGED 30 YEARS
 S/O.N.P. ABBAS,
 NEDUMOOLI HOUSE,
 POTTAMMAL,
 FAROOK COLLEGE P.O.,
 RAMANATTUKARA,
 KOZHIKKODE 673632.

BY ADV. BABU S. NAIR.

RESPONDENT:

THE INSPECTOR OF POLICE THENHIPALAM POLICE STATION, MALAPPURAM DISTRICT - 673636.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 34381 OF 2022

PETITIONER:

MUHAMMED RASHID P AGED 29 YEARS S/O.ABOOBACKER P., ELEDATH HOUSE, PULIKKAL P.O., MALAPPURAM - 673637.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM 673638.
- 2 THE SUB INSPECTOR OF POLICE KONDOTTY POLICE STATION, MALAPPURAM 673638.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944

WP(C) NO. 34485 OF 2022

PETITIONERS:

- 1 SHAMEER ALI N
 AGED 36 YEARS
 S/O.ABDUL AZEEZ N.,
 MATTUMMAL HOUSE,
 KOZHIPPURAM, PALLIKKAL,
 MALAPPURAM 673634.
- 2 SUBHA
 AGED 41 YEARS
 W/O.SHAJI,
 MUTHIRAKALLU NILATHUKUNI,
 THIKKODI P.O.,
 KOZHIKKODE 673529.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR
 VATAKARA TALUK,
 KOZHIKKODE 673101.
- THE DEPUTY TAHSILDAR VATAKARA TALUK, KOZHIKKODE - 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944

WP(C) NO. 34517 OF 2022

PETITIONERS:

- 1 VIJAYAN K
 AGED 67 YEARS
 S/O.KRISHNAN K.K.,
 PARAYULLA PARAMBATH HOUSE,
 KARIMBANAPPALAM,
 VATAKARA,
 KOZHIKKODE 673101.
- 2 BIJU P
 AGED 47 YEARS
 S/O.MUKUNDAN,
 PADANNAYIL HOUSE,
 19/432, VATAKARA,
 KOZHIKKODE 673101.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE TAHSILDAR
 VATAKARA TALUK,
 KOZHIKKODE 673101.
- 2 THE VILLAGE OFFICER
 NADAKKUTHAZHA VILLAGE OFFICE,
 VATAKARA P.O.,
 KOZHIKKODE 673101.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 34680 OF 2022}}{\text{MP(C) NO. 34680 OF 2022}}$

PETITIONER:

RAJITH K.V.

AGED 41 YEARS

S/O.RAJAN K.V.,

KARAKKEPURATH THAZHAM,

KODAKKATTUMURI,

MUCHUKUNNU P.O.,

KOZHIKKODE - 673307.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE PAYYOLI POLICE STATION, KOZHIKKODE 673523.
- 2 THE SUB INSPECTOR OF POLICE PAYYOLI POLICE STATION, KOZHIKKODE 673523.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944
WP(C) NO. 34806 OF 2022

PETITIONERS:

- 1 FASEEH A.K.
 AGED 26 YEARS
 S/O.SIDDIQUE A.K.,
 AMBANADATH HOUSE,
 CHOLAKKODE, CHERUKAVU,
 MALAPPURAM 673637.
- 2 SULFIKAR T.P.
 AGED 28 YEARS
 PARAKKAL PARAMBU HOUSE,
 MUNDILAKKAL,
 MUTHUVALLUR,
 MALAPPURAM 673641.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE VAZHAKKAD POLICE STATION, MALAPPURAM 673640.
- 2 THE SUB INSPECTOR OF POLICE VAZHAKKAD POLICE STATION, MALAPPURAM 673640.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 34952 OF 2022

PETITIONER:

MUHAMMED

AGED 52 YEARS
S/O.MOIDEEN,
POOLATT HOUSE,
KARIPUR P.O.,
PALLIKKAL,
MALAPPURAM - 673647.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE THENHIPALAM POLICE STATION, MALAPPURAM - 673636.
- 2 THE SUB INSPECTOR OF POLICE THENHIPALAM POLICE STATION, MALAPPURAM 673636.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\underline{\text{WP(C)} \ \text{NO.}\ 35102\ \text{OF}\ 2022}$

PETITIONER:

REMITHA T
AGED 30 YEARS
D/O.JAYANANDAN E.,
RAJATHAM,
PALAYAD P.O.,
ANDALOOR,
KANNUR - 670661.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE VAZHAKKAD POLICE STATION, MALAPPURAM 673640.
- 2 THE SUB INSPECTOR OF POLICE VAZHAKKAD POLICE STATION, MALAPPURAM 673640.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 35434 OF 2022

PETITIONER:

HIROSH O.K.

AGED 38 YEARS

S/O.CHANDRAN O.K.,

KOOLICHALAKKAL HOUSE,

MAKKADA P.O.,

KOZHIKKODE - 673611.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE KAKKOOR POLICE STATION, KOZHIKKODE 673613.
- 2 THE SUB INSPECTOR OF POLICE KAKKOOR POLICE STATION, KOZHIKKODE - 673613.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

Wednesday, the 30^{TH} day of november 2022/9th agrahayana, 1944

WP(C) NO. 35456 OF 2022

PETITIONERS:

- 1 MOHAMED ARIS,
 AGED 45 YEARS
 S/O. ABOOBACKER,
 KARINGAPARA HOUSE,
 VETTICHIRA, KURUMBATHUR,
 PUNNATHALA, MALAPPURAM 676522
 (REGISTERED OWNER OF KL-55-X-6362 JCB).
- 2 MUSTHAFA,
 AGED 49 YEARS,
 S/O. KOYA,
 VETTIKATT MADATHIL HOUSE,
 ATHAVANAD P.O., TIRUR,
 MALAPPURAM 676301.
 (REGISTERED OWNER OF KL-55-K-5102 MINI LORRY).
- SAIDALÄVI,
 AGED 61 YEARS,
 S/O. ALAVI HAJI,
 10/756, ATHIKKATT,
 ATHAVANAD, KURUMBATHOOR,
 TIRUR, MALAPPURAM 67630.
 (REGISTERED OWNER OF KL-57-B-4669 MINILORRY).

BY ADV. K.K.MOHAMED RAVUF.

RESPONDENT:

THE STATION HOUSE OFFICER, VALANCHERRY POLICE STATION, VALANCHERRY, MALAPPURAM - 676552.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 35601 OF 2022

PETITIONER:

MUHAMMED YASIR P
AGED 30 YEARS
S/O.SAIDALI,
49/18,
KURURAMBATHOOR P.O.,
TIRUR,
MALAPPURAM - 676301.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE MALAPPURAM POLICE STATION, MALAPPURAM 676505.
- 2 THE SUB INSPECTOR OF POLICE MALAPPURAM POLICE STATION, MALAPPURAM 676505.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 35613 OF 2022

PETITIONER:

JALEEL AGED 42 YEARS S/O.AHAMMED, PERUVANKUZHIYIL HOUSE, VALAKKULAM P.O., MALAPPURAM - 676508.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE INSPECTOR OF POLICE TIRURANGADI POLICE STATION, MALAPPURAM - 676306.
- 2 THE SUB INSPECTOR OF POLICE TIRURANGADI POLICE STATION, MALAPPURAM - 676306.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 35788 OF 2022

PETITIONER:

SHAIBU P AGED 43 YEARS S/O.P. KRISHNAN, P.K. INFRASTRUCTURE, 5/3403, C311, SPACE MALL, JAFARKHAN COLONY ROAD, KOZHIKKODE, KOZHIKKODE - 673001.

BY ADV. BABU S. NAIR.

RESPONDENTS:

- 1 THE TAHSILDAR TALUK OFFICE, KOZHIKKODE - 673001.
- THE VILLAGE OFFICER 2 KOTTOOLI VILLAGE, KOZHIKKODE - 673004.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 36136 OF 2022

PETITIONER:

ASIF ALI,
AGED 30 YEARS
SON OF MOITHEENKUTTY,
AGED 30 YEARS,
NIRAPARAMBIL HOUSE,
PAZHOOR P.O.,
NADUVATTOM VILLAGE,
TIRUR TALUK,
MALAPPURAM - 679571.
(OWNER OF A TIPPER LORRY BEARING REGISTRATION NO. KL-23-C-2929)

BY ADVS. P.M.ZIRAJ IRFAN ZIRAJ

RESPONDENTS:

- 1 THE SUB INSPECTOR OF POLICE, VALANCHERY POLICE STATION, MALAPPURAM - 676552.
- 2 THE DISTRICT GEOLOGIST,
 MALAPPURAM,
 OFFICE OF DISTRICT GEOLOGIST,
 MANJERI, MALAPPURAM 676121.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH
WEDNESDAY, THE 30TH DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944

WP(C) NO. 36137 OF 2022

PETITIONER:

NOORUDHEEN
AGED 48 YEARS
S/O.SAINUDHEEN,
KIZHAKKEPEEDIYEKKAL HOUSE,
TRIPRANGODE, MALAPPURAM DISTRICT
PIN - 676108

BY ADV BABU S. NAIR

RESPONDENTS:

- 1 THE TAHSILDAR
 TALUK OFFICE, TIRUR,
 MALAPPURAM 676101.
- THE VILLAGE OFFICER
 THIRUNAVAYA VILLAGE,
 MALAPPURAM 676301.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 36287 OF 2022}}{\text{MP(C) NO. 36287 OF 2022}}$

PETITIONER:

ANEESH KUMAR
AGED 38 YEARS
S/O.KUTTINARAYANAN NAIR,
KOMMOTH MEETHAL HOUSE,
KAKKANCHERY, ULLIYERI P.O.,
KOYILANDI, KOZHIKKODE - 673620.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE TAHSILDAR
 KOYILANDI TALUK
 KOZHIKKODE 673305.
- 2 THE SPECIAL DEPUTY TAHSILDAR KOYILANDI TALUK KOZHIKKODE 673305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 WP(C) NO. 36289 OF 2022

PETITIONER:

SHEIK HAKKIM
AGED 42 YEARS,
S/O. SULAIMAN,
ANKARA VEEDU,
NELLOOR, THAROOR,
PALAKKAD - 673620.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE TAHSILDAR, KOYILANDI TALUK, KOZHIKKODE - 673305.
- THE SPECIAL DEPUTY TAHSILDAR, KOYILANDI TALUK, KOZHIKKODE - 673305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH WEDNESDAY, THE 30^{TH} DAY OF NOVEMBER 2022/9TH AGRAHAYANA, 1944 $\frac{\text{WP(C) NO. 36307 OF 2022}}{\text{MP(C) NO. 36307 OF 2022}}$

PETITIONER:

RANEESH P.M.

AGED 35 YEARS

S/O.RAGHAVAN,

PARAMBATH MEETHAL,

ULLIYERI P.O., KUNNATHARA,

KOZHIKKODE - 673620.

BY ADV. K.RAKESH.

RESPONDENTS:

- 1 THE TAHSILDAR
 KOYILANDI TALUK
 KOZHIKKODE 673305.
- 2 THE SPECIAL DEPUTY TAHSILDAR KOYILANDI TALUK KOZHIKKODE 673305.

BY SMT. DEEPA NARAYANAN, SR.GOVERNMENT PLEADER

CR

N. NAGARESH, J.

W.P.(C) Nos.17394, 20520, 21614, 27053, 27423, 29586, 29827, 29847, 29973, 31585, 31607, 31997, 32240, 32252, 32272, 33168, 33438, 33515, 33673, 33861, 33865, 33874, 33941, 34133, 34381, 34485, 34517, 34680, 34806, 34952, 35102, 35434, 35456, 35601, 35613, 35788, 36136, 36137, 36287, 36289 and 36307 of 2022

Dated this the 30th day of November, 2022

JUDGMENT

The question posed for consideration in these writ petitions is whether any mineral, tool, equipment, vehicle or any other thing can be seized under Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957 and whether seized articles are liable to be confiscated under Section 21(4A), when no Special Court is constituted as contemplated under Section 30B of the Act, 1957. The

petitioners would urge that seizure cannot be effected when no Special Court is notified under Section 30B.

- 2. In all the writ petitions in this batch of writ petitions, vehicles owned by the petitioners were seized by Police Officers / Revenue Officials alleging contravention of the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 (hereinafter referred to as 'the MMDR Act', for short) and the Rules made thereunder.
- 3. The petitioners state that confiscation of any property including vehicles seized, can be only by an order of the Court competent to take cognisance of the offence under the MMDR Act. Section 30B of the MMDR Act mandated the State Government to constitute Special Court/s for speedy disposal of cases. The State Government has not constituted Special Courts so far.
- 4. If any complaint is made before any court, the parties can approach the courts for getting interim custody of vehicles, either under Section 451 or under Section 457 of the Code of Criminal Procedure, 1973. Since the State has

not constituted Special Courts, there cannot be any prosecution for the offence and without a prosecution, there cannot be any confiscation, assert the petitioners. If confiscation is not legal, the seizure would also be bad in the eye of law.

- The petitioners would further argue that the 5. authorities who seized the vehicles are not officers specially effect empowered to seizure and the seizure unsustainable on that score also. The authorities cannot even file a complaint in respect of the alleged offences, as there is no Special Court legally constituted. Unlike in other enactments like the Customs Act, Abkari Act, etc. providing separate parallel confiscation proceedings, under the MMDR Act only the court competent to take cognisance under Section 22 alone has power to confiscate. As there is no court competent to confiscate, there cannot be legal seizure, urged the petitioners.
- 6. The Special Government Pleader appearing for the respondents resisted the writ petition. As regards the

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Competency of officials to effect seizure, the Special Government Pleader argued that under Section 102 Cr.P.C., a police officer has power to seize any vehicle found under suspicious circumstances of commission of any offence. The Government Pleader relied on the Full Bench judgment in *Prakash Nayak v. District Collector [AIR 2017 Ker. 55]* in support of the proposition. A complaint from the competent authority is not necessary for the police to seize any vehicle.

7. When a police officer seizes a vehicle found under suspicious circumstances, the Police has to report such seizure to the jurisdictional Magistrate. If a vehicle is seized by a police officer suspecting violation of the provisions of the MMDR Act, the seizure will be reported to the Person Authorised, in view of Section 22 of the MMDR Act. A complaint from Person Authorised is not necessary for the police to seize a vehicle involved / suspected to be involved in an offence under the MMDR Act, contended the Government Pleader.

- 8. The Hon'ble Supreme Court has held in *Pradeep*S. Wodeyar v. State of Karnataka [2021 (14) SCALE 303]
 that the Sessions Court shall not take cognisance of an offence as a court of original jurisdiction unless the Magistrate commits the case to it. Under the MMDR Act, a Special Court cannot take cognisance of an offence as the Act does not empower the Special Court to take cognisance, urged the Government Pleader.
- 9. The counsel for the petitioners Sri. Babu S. Nair, on the other hand, argued that Section 30B of the MMDR Act mandates that Special Courts have to be constituted by the State for trying cases under the MMDR Act. When a power is given by the statute to do certain thing in a certain way, the things must be done in that way or not all and that other methods of performance are necessarily forbidden. As Special Courts are not constituted as mandated, there can be no prosecution and, in turn, there cannot be any confiscation. The seizure of vehicles of the petitioners is therefore highly arbitrary and is liable to be interfered with by

this Court.

- 10. The counsel for the petitioner relied on the judgments of the Hon'ble Apex Court in State of Uttar Pradesh v. Singhara Singh and others [AIR 1964 SC 358], Babu Varghese v. Bar Council of Kerala [(1999) 3 SCC 422], Chandra Kishore Jha v. Mahavir Prasad and others [(1999) 8 SCC 266], State of Jharkhand v. Ambay Cements [(2005) 1 SCC 368], Dipak Babaria and another v. State of Gujarat and others [(2014) 3 SCC 502], Zuari Cement Ltd. v. Regional Director, ESIC Hyderabad and others [(2015) 7 SCC 690], Vanaja v. State of Karnataka [(2001) 4 SCC 9] and Opto Circuit India Limited v. Axis Bank and others [(2021) 6 SCC 707], to urge the point.
- 11. Relying on the judgment of the Apex Court in Sunderbhai Ambalal Desai v. State of Gujarat [AIR 2003 SC 638], the counsel for the petitioner argued that it is of no use to keep seized vehicles at the police station for a long period and the court shall pass orders immediately by taking appropriate bond and guarantee as well as security for return

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of the vehicles. In most of these cases, the seizure has not been even reported to the court / Person Authorised.

- 12. According to the counsel for the petitioners, the Hon'ble Apex Court has held in *Pradeep S. Wodeyar* (supra) that under Section 193 Cr.P.C., the Sessions Court shall not take cognisance of an offence as a court of original jurisdiction unless the Magistrate commits the case to it. But, the Apex Court has stated that there is exception when the statute expressly provides for otherwise. The MMDR Act does not provide that the Special Court could directly take cognisance of the offence. In Kerala, the State Government has not even constituted Special Courts.
- 13. I have heard M/s. Babu S. Nair, K. Rakesh, K.V. Gopinathan Nair, K.M. Firoz, K.K. Mohamed Rauf and P.M. Siraj, learned counsel appearing for various petitioners in the writ petitions and Smt. Deepa Narayanan, learned Senior Government Pleader representing the respondents.
- 14. The crux of the case projected by the petitioners is that since Section 30B of the MMDR Act contemplates

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constitution of Special Courts to try offences under the Act and since Special Courts are not constituted by the Government, prosecution is not possible and without prosecution, there cannot be any confiscation. If there cannot be a confiscation, then there cannot be any seizure either. If the petitioners' arguments are rejected, then a question would arise as to the competent courts which are to prosecute offences under the MMDR Act and which are competent to confiscate vehicles seized under the provisions of the Act.

15. At the outset, it is to be noted that though prosecution proceedings and confiscation proceedings may arise out of the same set of facts, they are distinct and different. Under Section 21(4A) of the MMDR Act, the court competent to take cognisance of the offence is empowered to confiscate any mineral, tool, equipment, vehicle or any other thing seized. Trial of the offences under the MMDR Act should be by Special Courts which are to be deemed as Court of Sessions, in view of Sections 30B and 30C of the

Act. The conferral power of confiscation of vehicles is not dependent on whether a criminal prosecution for commission of offence under the MMDR Act has been launched against the offender. Confiscation is a separate and distinct proceeding from that of trial.

- 16. An examination of the Scheme of the MMDR Act and the relevant provisions of the Cr.P.C. would indeed make abundantly clear the intention of the legislature. The MMDR Act is intended to provide for the development and regulation of mines and minerals. The vehicles involved in all these writ petitions were seized when they were found transporting ordinary earth / earth without red permits/passes. This Court in Construction Material Movers v. State of Kerala [2008 (4) KLT 909] has held that ordinary sand/earth is a minor mineral. As per Section 2(e), "minor minerals" would include ordinary sand.
- 17. Section 4(1A) provides that no person shall transport or store or cause to be transported or stored any mineral otherwise than in accordance with the provisions of

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the MMDR Act. As per Rule 26(4) of the Kerala Minerals (Prevention of Illegal Mining, Storage and Transportation) Rules, 2015 framed under the MMDR Act, any consignment of minerals without a valid Mineral Transit Pass shall be considered as illicit. Vehicles involved in these writ petitions were seized finding that the sand/earth carried were without valid passes/permits.

- 18. Sections 21 and 22 of the MMDR Act read as follows:
 - **21. Penalties** (1) Whoever contravenes the provisions of sub-section (1) or sub-section (1A) of section 4 shall be punishable with imprisonment for a term which may extend to five years and with fine which may extend to five lakh rupees per hectare of the area.
 - (2) Any rule made under any provision of this Act may provide that any contravention thereof shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to five lakh rupees, or with both, and in the case of a continuing contravention, with additional fine which may extend to fifty thousand rupees for every day during which such contravention continues after conviction for the first such contravention.
 - (3) Where any person trespasses into any land in contravention of the provisions of sub-section (1) of section 4, such trespasser may be served with an order of eviction by the State Government or any authority authorised in this behalf by that

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Government and the State Government or such authorised authority may, if necessary, obtain the help of the police to evict the trespasser from the land.

- (4) Whenever any person raises, transports or causes to be raised or transported, without any lawful authority, any mineral from any land, and, for that purpose, uses any tool, equipment, vehicle or any other thing, such mineral tool, equipment, vehicle or any other thing shall be liable to be seized by an officer or authority specially empowered in this behalf.
- (4A) Any mineral, tool, equipment, vehicle or any other thing seized under sub-section (4), shall be liable to be confiscated by an order of the court competent to take cognizance of the offence under sub-section (1) and shall be disposed of in accordance with the directions of such court.
- (5) Whenever any person raises, without any lawful authority, any mineral from any land, the State Government may recover from such person the mineral so raised, or, where such mineral has already been disposed of, the price thereof, and may also recover from such person, rent, royalty or tax, as the case may be, for the period during which the land was occupied by such person without any lawful authority.
- (6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), an offence under sub-section (1) shall be cognizable.

Explanation – On and from the date commencement of the Mines Minerals and (Development and Regulation) Amendment Act, 2021, the expression "raising, transporting or causing to raise or transport any mineral without any lawful authority" occurring in this Section, shall mean raising, transporting or causing to raise or transport any mineral by а person without prospecting licence, mining lease or composite

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licence or in contravention of the rules made under Section 23C.

22. Cognizance of offences — No court shall take cognizance of any offence punishable under this Act or any rules made thereunder except upon complaint in writing made by a person authorised in this behalf by the Central Government or the State Government.

Under Section 21(4A), any vehicle seized under sub-section (4) is liable to be confiscated by an order of the court competent to take cognisance of the offence.

19. The Apex Court in the judgment in *Pradeep S. Wodeyar* (supra) has held that Special Court does not have, in the absence of a specific provision in the MMDR Act, the power to take cognisance of an offence under the Act without the case being committed to it by the Magistrate under Section 209 Cr.P.C. Therefore, it is evident that it is the Magistrate's Court which is competent to take cognisance of any offence under the MMDR Act and the power to confiscate vehicles involved in offences under the MMDR Act is vested with the court competent to take cognisance under Section 21(4A). Therefore, non-constitution of Special Courts

under Section 30B cannot affect seizure and confiscation proceedings under the MMDR Act.

- 20. Now, let us examine whether the constitution of the Special Court is a mandatory requirement under Section 30B and whether absence of duly constituted Special Court would make prosecution of the offences under the Act impossible. Section 30B of the MMDR Act reads as follows:
 - **30B.** Constitution of Special Courts (1) The State Government may, for the purposes of providing speedy trial of offences for contravention of the provisions of sub-section (1) or sub-section (1A) of section 4, constitute, by notification, as many Special Courts as may be necessary for such area or areas, as may be specified in the notification.
 - (2) A Special Court shall consist of a Judge who shall be appointed by the State Government with the concurrence of the High Court.
 - (3) A person shall not be qualified for appointment as a judge of a Special Court unless he is or has been a District and Sessions Judge.
 - (4) Any person aggrieved by the order of the Special Court may prefer an appeal to the High Court within a period of sixty days from the date of such order.

The words "The State Government **may**" with which Section 30B begins would only show that the Section is only an enabling provision for the State to constitute Special Courts

for the purpose of speedy trial of offences under the Act. Section 30B does not give mandatory direction to constitute Special Courts.

21. lf Special Courts are not established. prosecution and trial of offences under the MMDR Act would be governed by the general provisions of the Cr.P.C. The MMDR Act neither expressly nor by implication states that Special Court can take cognisance of the offences under the Act as a court of original jurisdiction without the case being committed to it. There is no reason to think that charge sheet or a complaint can straight away be filed before the Special Court. In the judgment in Gangula Ashok v. State of AP [2000 (1) KLT 609], the Hon'ble Apex Court expressed disagreement with the Full Bench judgment of Kerala High Court in Hareendran v. Sarada [1995 (1) KLT 231] and concurred with the judgment of Andhra Pradesh High Court in Referring Officer rep. by State of AP v. Shekar Nair [1999 Carl.L.J 4173] which held that the mere fact that no procedure is prescribed or specified under the Special Act

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does not mean that the Special Act dispenses with the procedure for committal of case triable by Court of Sessions and that the Special Court gets original jurisdiction in the matter of initiations, enquiry or trial. There is no good reason why the procedural provisions of Cr.P.C. relating to power and mode of taking cognisance including Section 193 Cr.P.C. should not be applied to the Special Courts.

- 22. A Full Bench of this Court has considered the issue in *Prakash Nayak v. The District Collector, Kasaragod and others* [AIR 2017 Ker. 55] and has held as follows:
 - 27. The general powers of the police for arrest and seizure under the Code of Criminal Procedure are not specifically ousted or excluded by any of the provisions of the MMDR Act. On the other hand the offence punishable under Section 21 is made specifically cognizable also. That the offence is made cognizable means that any police officer, competent and empowered to act under the Code of Criminal Procedure, is competent to make arrest and to make seizure of properties, but prosecution can be launched only by the persons authorised by the Government under Section 22 of the MMDR Act. Contraband articles including minerals are liable to confiscation by court orders under Sub Section 4A of Section 21 of the MMDR Act. The latter part of the Sub Section provides that the property shall be disposed of in accordance with

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the directions of such court. This means that appropriate orders including confiscation orders can be passed by the court having jurisdiction to take cognizance of an offence punishable under Sub Section (1) of Section 21, on a complaint brought by any officer authorised under Section 22 of the MMDR Act. Appropriate orders meant under Sub Section 4A will include even interim orders authorising interim custody under Section 451 of the Coder of Criminal Procedure. The object of Sub Section 4A of Section 21 is not that the property seized under Sub Section 4 shall be liable to confiscation in all situations. What we find on an analysis of the various provisions is that confiscation of properties is authorised under Sub Section 4A, by orders of the court having jurisdiction. However the court is competent to pass appropriate orders, for disposal of the properties. In appropriate cases where the facts and situations are of extreme violation, confiscation will have to be ordered by the court. However, in the case of minerals illicitly transported or imported, confiscation must be the rule. But in the case of vehicles and other articles, appropriate orders including confiscation orders can be passed by the court having jurisdiction, and such properties can be appropriately dealt with.

In paragraph 29, the Full Bench further made the following findings on the general powers of the police under the Cr.P.C.:

29. As discussed, observed and found in the forgoing paragraphs, we come to the conclusion on the important questions of law that situations like the present one involving minerals or minor minerals not covered by the Sand Act in Kerala or the MMDR Rules in Kerala, or any other special law, can be dealt with under the MMDR Act, and

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proceedings including seizure, confiscation and prosecution can be initiated under the MMDR Act. We accordingly find that the reliefs as sought by the writ petitioners cannot be granted. We reiterate that as regards the general police powers under the Code of Criminal Procedure for arrest and seizure. there cannot be any doubt or challenge, when such powers are not specifically ousted or excluded by any special or local law. There are provisions in the MMDR Act, authorising the Government to appoint other categories of officers also to make seizure and to initiate prosecution. We find that this is only in addition to the general powers given to the police under the Code of Criminal Procedure. However, as regards cognizance of offences, there is a specific provision under Section 22, and once cognizance otherwise than on complaint as prescribed under the law is barred, such cognizance under the Code of Criminal Procedure may not be possible. Only to that extent, the general powers of police under the Code of Criminal Procedure will stand excluded. In view of the specific provisions in Section 22 of the MMDR Act, prosecution on the basis of a final report under Section 173(2) Cr.P.C. is not possible. As regards the other police powers including arrest and seizure, there is no specific exclusion by the special law, and so, such general powers can be exercised by the police, including the powers to make arrest, and to seize properties.

23. The counsel for the petitioners, relying on the Division Bench judgment of this Court in *Abdul Majeed Kalathil v. District Collector, Malappuram and others* [2009 (3) KLT 637], would urge that the provisions contained in the MMDR Act as to courts and confiscation, are vague and therefore this Court should not be hesitant to declare

that the seizures of the vehicles of the petitioners is illegal.

- 24. The petitioners point out that in most of the special enactments which provide for prosecution as well as confiscation for the same offence, the sections concerned begin with the words "whether a prosecution is initiated or not". There is no such clause in the MMDR Act. It would imply that there cannot be any confiscation proceeding without any prosecution proceeding.
- 25. I find that Rule 21(4A) clearly provides that any mineral, tool, equipment, vehicle or any other thing seized under sub-section (4) shall be liable to be confiscated by an order of the court competent to take cognisance of the offence. Therefore, what is required for a valid seizure is only usage of vehicle to transport minerals without any lawful authority as envisaged in Section 21(4). Absence of the words "whether a prosecution is initiated or not" in Section 21(4A) is of no consequence.

For all the above reasons, the writ petitions are found to be without any merit and therefore the writ petitions

are dismissed. The petitioners are directed to surrender their vehicles released pursuant to the interim orders obtained in these writ petitions, forthwith. It is made clear that the petitioners will be free to approach the competent court/authority for interim custody of vehicles or to compound the offences.

Sd/-

N. NAGARESH, JUDGE

aks/28.11.2022

APPENDIX OF WP(C) 17394/2022

PETITIONER'S EXHIBITS

EXHIBIT P1	A TRUE COPY OF THE MINERAL TRANSIT PASS IN RESPECT OF THE CONSIGNMENT IN THE VEHICLE.
EXHIBIT P2	A TRUE COPY OF THE NOTICE ISSUED TO THE PETITIONER DATED, 25-5-2022 BY THE FIRST RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE ORDER PASSED BY THIS HON'BLE COURT IN CRL.M.C.N.2080/2022 DATED, 30-3-2022.
EXHIBIT P4	TRUE COPY OF THE ORDER PASSED BY THIS HON'BLE COURT IN CRL.M.C.NO.2786/2022 DATED, 29-4-2022.
EXHIBIT P5	TRUE COPY OF THE ORDER PASSED BY THIS HON'BLE COURT IN CRL.M.C.NO.2551/2022 DATED, 19-4-2022

RESPONDENTS ANNEXURE

ANNEXURE R1(A)	TRUE	COPY	OF	THE	PERMIT	NUMBER
	157/20	DATED.				
	02 05	2022				

- ANNEXURE R1(B) TRUE COPY OF THE LETTER NO. DOP/AR.1278/2022/A1 DATED. 25.05.2022.
- ANNEXURE R1(C) TRUE COPY OF THE LETTER NO.DOC/M1635/2022/A1 DATED.31.05.2022 ISSUED BY
 THE DEPARTMENT OF MINING AND GEOLOGY
 KANNUR.
- ANNEXURE R1(D) TRUE COPY OF THE NOTICE
 NO.DOP/A.R.1278/2022/A1 DATED
 25.05.2022 ISSUED BY THE MINING AND
 GEOLOGY DEPARTMENT PALAKKAD.
- ANNEXURE R1(E) TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER.
- ANNEXURE R1(F) TRUE COPY OF THE ORDER IN WP(C) NO.17394 OF 2022 OF THE HONOURABLE HIGH COURT.

- ANNEXURE R1(G) TRUE COPY ofTHE LETTER NO.DOP/A.R.1278/2022/A1 DTD 02.06.2022 THE MINING ISSUED BY AND **GEOLOGY** DEPARTMENT PALAKKAD.
- ANNEXURE R1(H) TRUE COPY OF THE FIR REGISTERED VIDE NO.0508/2022 ON 05.06.2022.

APPENDIX OF WP(C) 20520/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZUF	KE M	IAHA2	ZAR
		PREPAR	RED BY	THE	2ND R	ESPONE	ENT	DATE	ED,
		19-6-2	2022 IN	RESI	PECT C	F THE	SEIZ	URE	OF
		THE	VEHICLE	E 01	WNED	BY	THE	FIF	RST
		PETITI	ONER.						
EXHIBIT	P2	TRUE	COPY	OF	THE	SEIZUF	E M	1AHA2	ZAR
		PREPAR	RED BY	THE	2ND R	ESPONE	ENT	DATE	ED,
		19-6-2	2022 IN	RESI	PECT C	F THE	SEIZ	URE	OF
		THE Y	VEHICLE	OW	NED	BY T	HE	SECC	OND
		PETITI	ONER.						
EXHIBIT	P3	A TRU	E COP	Y OI	F THE	E INTE	ERIM	ORE	ER
		PASSED	IN W.	P. (C)	NO.17	7394/20)22		
		DATED,	30-5-	2022					

APPENDIX OF WP(C) 21614/2022

PETITIONER'S EXHIBITS

EXHIBIT P1	A TRUE COPY OF THE	COMMUNICATION
	ISSUED BY THE 3RD RESEPTITIONER DATED, 30-6-2	
EXHIBIT P2	A TRUE COPY OF THE PASSED BY THIS HON'BLE (C)NO.17394/2022 DATED,	COURT IN W.P.
EXHIBIT P3	A TRUE COPY OF THE PASSED BY THIS HON'BLE (C) NO. 20520/2022 DATED,	COURT IN W.P.

RESPONDENTS' EXHIBIT

EXHIBIT	R2 (A)	TRUE COPY OF THE ORDER G.O (P) NO.55/2015 ID DATED 06.05.2015.
EXHIBIT	R2 (B)	TRUE COPY OF THE MAHAZAR NO.642662/2022/A PREPARED BY THE VILLAGE OFFICER DATED 14.06.2022.
EXHIBIT	R2 (C)	TRUE COPY OF THE LETTER SENT BY THE 2ND RESPONDENT TO THE DISTRICT POLICE CHIEF, KOZHIKODE CITY DATED 30.06.2022.
EXHIBIT	R2 (D)	TRUE COPY OF THE LETTER DATED 05.07.2022 SENT BY THE DISTRICT POLICE CHIEF, KOZHIKODE CITY.
EXHIBIT	R2 (E)	TRUE COPY OF THE ORDER G.O (MS) NO.51/2017/ID DATED 21.06.2017.

APPENDIX OF WP(C) 27053/2022

EXHIBIT	P1							MAHAZAR
		20-8-2		THE	2ND	RESPO	NDENT	DATED,
EXHIBIT	P2	A TRUE	COPY	OF TH	E IN	TERIM	ORDER	RPASSED
		IN W	.P. (C) N	10.216	514/2	022	DATED	, 1-7-
		2022.						
EXHIBIT	Р3	A TRUE	COPY	OF TH	E IN	TERIM	ORDEF	PASSED
		IN W.	P. (C) N	0.205	20/2	022 I	OATED,	28-6-
		2022 O	F THIS	HON'	BLE (COURT.		

APPENDIX OF WP(C) 27423/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	REGIST	RATION
		PARTIC	ULARS OF	THE VE	EHICLE.		
EXHIBIT	P2	TRUE C	OPY OF T	HE GOOI	S CARR	IAGE PE	RMIT.
EXHIBIT	P3	PHOTOG	RAPH OF	THE	BOARD	OF L	ICENCE
		EXHIBI	TED AT T	HE PROI	PERTY.		
EXHIBIT	P4	TRUE	COPY O	F THE	SEIZ	URE M	AHAZAR
		PREPAR	ED BY I	HE 2NI) RESP	ONDENT	DATED
		18-8-2	022.				
EXHIBIT	P5	TRUE C	COPY OF	THE IN	TERIM	ORDER 1	PASSED
		IN W.	P. (C) NO	0.20520	/2022	DATED	28-6-
		2022.					

APPENDIX OF WP(C) 29586/2022

EXHIBIT P1	TRUE COP	Y OF	THE SE	IZURE	MAHAZAR
	PREPARED	BY THE	2ND RES	PONDENT	DATED,
	15-8-2022	IN RESP	PECT OF	THE SEI	ZURE OF
	THE VEHIC	LE OWNED	BY THE	PETITIO	NER.
EXHIBIT P2	A TRUE	COPY OF	THE	INTERIM	ORDER
	PASSED IN	W.P.(C)	NO.2705	3/2022	OF THIS
	HON'BLE CO	OURT DAT	ED, 23-8	3-2022.	
EXHIBIT P3	A TRUE	COPY OF	THE	INTERIM	ORDER
	PASSED IN	W.P.(C	C) NO. 205	20/2022	DATED,
	28-6-2022	OF THIS	HON'BLE	COURT.	

APPENDIX OF WP(C) 29827/2022

EXHIBIT P1	TRUE COPY CERTIFICATE O PETITIONER.	OF F THE		 STRATION THE 1ST
EXHIBIT P2	TRUE COPY CERTIFICATE O PETITIONER.	OF F THE		 STRATION THE 2ND
EXHIBIT P3	TRUE COPY OF IN W.P.(C)NO 2022.			 PASSED 23-8-
EXHIBIT P4	A TRUE COPY OF IN W.P. (C) NO 2022 OF THIS I	.20520/	2022 D.	

APPENDIX OF WP(C) 29847/2022

EXHIBIT P1	TR	UE COP	Y OF	THE	REGIST	RATION
		RTIFICATE TITIONER.		THE VEH	ICLE O	F THE
EXHIBIT P2	IN			E INTERIM 53/2022		
EXHIBIT P3	IN		10.20520	E INTERIM 0/2022 DAT OURT.		

APPENDIX OF WP(C) 29973/2022

EXHIBIT P1	TRUE COPY OF THE SEIZURE MAHAZAR PREPARED BY THE 2ND RESPONDENT DATED, 19-9-2022.
EXHIBIT P2	A TRUE COPY OF THE INTERIM ORDER PASSED IN W.P. (C) NO.27053/2022 DATED, 23-8-2022.
EXHIBIT P3	A TRUE COPY OF THE INTERIM ORDER PASSED IN W.P.(C)NO.20520/2022 DATED, 28-6-2022 OF THIS HON'BLE COURT.

APPENDIX OF WP(C) 31585/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZURE	MAHAZAR
		PREPAR	ED BY	THE	1ST	RESPONDE	ENT DATED,
		29-9-2	022 IN	RESE	ECT (OF THE S	SEIZURE OF
		THE EX	CAVATOR	NWO S	ED BY	THE PET	ITIONER.
EXHIBIT	P2	A TRUE	COPY	OF TH	E INT	ERIM OR	DER PASSED
		IN W.	P. (C) NO	0.270	53/20	22 DAT	ED, 23-8-
		2022.					
EXHIBIT	P3	A TRUE	COPY	OF TH	E INT	ERIM OR	DER PASSED
		IN W.P	. (C) NO.	20520)/202	2 DATED,	28-6-2022
		OF THIS	S HON'E	SLE CO	OURT.		

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W.P.(C) No.17394/2022 & connected cases : 72 :

APPENDIX OF WP(C) 31607/2022

EXHIBIT	P1	A	TRU	E (COPY	OF	' TE	ΗE	REGI	STRAI	'ION
				CATE NER.	OF	' TI	IE V	ÆHIC	LE	OF	THE
EXHIBIT	P2	TRU	E	COPY	OF	' TI	HE :	SEIZU	JRE	MAHA	ZAR
			PARE 2022		THE	1ST	RESE	ONDE	NT D	ATED,	3-
EXHIBIT	P3	АТ	RUE	COPY	OF	THE	INTE	RIM	ORDEI	R PAS	SED
		IN 202		P. (C)	NO.2	7053	/2022	2 D2	ATED,	23	8-8-
EXHIBIT	P4	A T	RUE	COPY	OF	THE	INTE	RIM	ORDEI	R PAS	SED
		IN	W.P.	(C) N	0.31	396/2	2022	DATE	D, 3	0-9-2	022
		OF '	THIS	HON	'BLE	COU	RT.				

W.P.(C) No.17394/2022 & connected cases : 73 :

APPENDIX OF WP(C) 31997/2022

EXHIBIT	P1	TRUE	COPY		OF	THE	REGIS	STRAI	!ION
		CERTIFIC PETITIC		OF	THE	VEHI	CLE	OF	THE
EXHIBIT	P2	TRUE	COPY	OF	THE	SEIZ	URE	MAHA	ZAR
		PREPARE 27-9-20		THE	FIRS	T RESPO	ONDENT	' DAI	ED,
EXHIBIT	P3	A TRUE							
		IN W. 2022.	P. (C) 1	10.2	7053/2	2022 I	PATED,	23	}-8-
EXHIBIT	P4	A TRUE	COPY	OF	THE I	NTERIM	ORDER	PAS	SED
		IN W.P	. (C) NO	.313	396/20	22 DAT	ED, 30)-9-2	2022
		OF THIS	HON'	BLE	COURT				

W.P.(C) No.17394/2022 & connected cases : 74 :

APPENDIX OF WP(C) 32240/2022

EXHIBIT	P1	TRUE	CO	PY	OF	THE	SEIZ	URE	MAHAZAR
		PREP	ARED	BY	THE	2ND	RESPO	NDENT	DATED,
		27-9	-2022	2.					
EXHIBIT	P2	A TR	UE C	OPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN	W.P.	(C) N	io.270	53/2)22 I	OATED,	23-8-
		2022	OF T	THIS	HON'	BLE (COURT.		
EXHIBIT	P3	A TR	UE C	OPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN	W.P.	(C) N	io.205	20/2)22 I	OATED,	28-6-
		2022	OF T	THIS	HON'	BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 75 :

APPENDIX OF WP(C) 32252/2022

EXHIBIT P	1	TRUE	COPY	OF	THE	SEIZ	URE	MAHAZAR
		PREPARI		THE	2ND	RESPO	NDENT	DATED,
		2, , ,	ozz.					
EXHIBIT P	2	A TRUE	COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W.P	. (C) NO.	2705	3/202	2 DATE	ED, 23	8-8-2022
		OF THIS	S HON'E	BLE CO	OURT.			
EXHIBIT P	23	A TRUE	COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W.P	. (C) NO.	20520	0/202	2 DATE	ED, 28	8-6-2022
		OF THIS	S HON'E	BLE CO	OURT.			

W.P.(C) No.17394/2022 & connected cases : 76 :

APPENDIX OF WP(C) 32272/2022

EXHIBIT	P1	TRUE	CO	PY	OF	THE	SEIZ	URE	MAHAZAR
		PREP	ARED	BY	THE	2ND	RESPO	NDENT	DATED,
		27-9	-2022	2.					
EXHIBIT	P2	A TR	UE C	OPY	OF TH	HE IN	TERIM	ORDER	PASSED
		IN	W.P.	(C) N	0.270	53/20	022 I	ATED,	23-8-
		2022	OF :	THIS	HON'	BLE C	COURT.		
EXHIBIT	P3	A TR	UE C	OPY	OF TH	HE IN	TERIM	ORDER	PASSED
		IN	W.P.	(C) N	io.205	520/20	022 I	ATED,	28-6-
		2022	OF :	THIS	HON'	BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 77 :

APPENDIX OF WP(C) 33168/2022

EXHIBIT	P1		ED BY			 	MAHAZAR DATED,
EXHIBIT	P2					 	PASSED 23-8-
EXHIBIT	Р3	IN W.P		3139	6/202	 	PASSED -9-2022

W.P.(C) No.17394/2022 & connected cases : 78 :

APPENDIX OF WP(C) 33438/2022

EXHIBIT P1	TRUE COPY OF THE MAHAZAR DATED 26-09-2022 PREPARED BY THE VILLAGE OFFICER, KARAVALOOR VILLAGE.
EXHIBIT P2	TRUE COPY OF THE REPORT DATED 03-10-2022 SUBMITTED BY THE 3RD RESPONDENT BEFORE THE 2ND RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE REPORT DATED 07-10-2022 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT.
EXHIBIT P4	TRUE COPY OF THE REPRESENTATION DATED 12-10-2022 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
EXHIBIT P5	TRUE COPY OF THE INTERIM ORDER DATED 23-08-2022 IN W.P.(C) NO.27053/2022 OF THIS HON'BLE COURT.
EXHIBIT P6	TRUE COPY OF THE INTERIM ORDER DATED

W.P.(C) No.17394/2022 & connected cases : 79 :

APPENDIX OF WP(C) 33515/2022

EXHIBIT	P1		ED BY					MAHAZAR DATED,
EXHIBIT	P2	BY T		HON'B	LE	COURT	IN	PASSED W.P.
EXHIBIT	Р3	IN W.		0.322	52/20	22 D		12-10-

W.P.(C) No.17394/2022 & connected cases : 80 :

APPENDIX OF WP(C) 33673/2022

EXHIBIT P1	TRUE COPY OF THE SEIZURE MAHAZAR PREPARED BY THE 2ND RESPONDENT DATED, 19-10-2022.
EXHIBIT P2	A TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN W.P. (C)NO.27053/2022 DATED, 23-8-2022.
EXHIBIT P3	A TRUE COPY OF THE INTERIM ORDER PASSED IN W.P.(C)NO.32252/2022 DATED, 12-10-2022 OF THIS HON'BLE COURT.

W.P.(C) No.17394/2022 & connected cases : 81 :

APPENDIX OF WP(C) 33861/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZ	URE	MAHAZAR
		PREPA	RED BY	THE	2ND	RESPO	NDENT	DATED,
		19-10	-2022.					
EXHIBIT	P2	A TRU	E COPY	OF T	HE IN	TERIM	ORDER	PASSED
		BY	THIS	HON'E	3LE	COURT	I IN	W.P.
		(C) NO	.27053	/2022	DATE	o, 23-	8-2022	2.
EXHIBIT	P3	A TRU	E COPY	OF T	HE IN	TERIM	ORDER	PASSED
		IN W	.P. (C)1	10.322	52/20)22 D	ATED,	12-10-
		2022	OF THIS	HON'	BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 82 :

APPENDIX OF WP(C) 33865/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZU	RE	MAHA2	ΆR
		PREPARI	ED BY	THE	2ND	RESPON	DENT	DATE	D,
		19-10-2	2022 II	N RES	PECT	OF THE	E SEI	ZURE	OF
		THE VE	HICLE (OWNED	BY T	HE PET	ITION	NER.	
EXHIBIT	P2	A TRUE	COPY	OF TH	E IN	rerim (ORDER	PASS	SED
		BY THIS	HON'E	BLE C	OURT	IN			
		W.P. (C)	NO.270	053/2	022 D	ATED,	23-8-	-2022	
EXHIBIT	P3	A TRUE	COPY	OF TH	E IN	rerim (ORDER	PASS	SED
		IN W.E	. (C) NO	322	52/20	22 DA	TED,	12-1	-0-
		2022 OI	THIS	HON'	BLE C	OURT.			

W.P.(C) No.17394/2022 & connected cases : 83 :

APPENDIX OF WP(C) 33874/2022

EXHIBIT P1	TRUE COPY	OF THE	SEIZURE	MAHAZAR
	PREPARED BY 19-10-2022.	THE 2ND	RESPONDENT	DATED,
EXHIBIT P2	A TRUE COPY BY THIS HON! W.P. (C) NO.27	BLE COURT	IN	
EXHIBIT P3	A TRUE COPY IN W.P.(C)N 2022 OF THIS	0.32252/20	22 DATED,	

W.P.(C) No.17394/2022 & connected cases : 84 :

APPENDIX OF WP(C) 33941/2022

- EXHIBIT P1 TRUE COPY OF THE RELEVANT PAGES OF THE REGISTRATION CERTIFICATE OF THE PETITIONER'S VEHICLE BEARING NO KL 56G 1654.
- EXHIBIT P2 TRUE COPY OF THE MAHAZAR DATED 22-10-2022 PREPARED BY V BINDU, DEPUTY TAHSILDAR, KOILANDY.
- EXHIBIT P3 TRUE COPY OF THE INTERIM ORDER IN WP.(C)NO. 17394 OF 2022 DATED 30-5-2022 PASSED BY THE HON'BLE HIGH COURT OF KERALA.
- EXHIBIT P4 TRUE COPY OF THE INTERIM ORDER IN WP.(C).NO. 33515 OF 2022 DATED 21-10-2022 PASSED BY THE HON'BLE HIGH COURT OF KERALA.

W.P.(C) No.17394/2022 & connected cases : 85 :

APPENDIX OF WP(C) 34133/2022

EXHIBIT P1	TRUE COPY PREPARED BY 2022.	_		
EXHIBIT P2	A TRUE COPY BY THIS (C) NO.27053/	HON'BLE	COURT IN	W.P.
EXHIBIT P3	A TRUE COPY IN W.P. (C)1 2022 OF THIS	NO.33832/202	2 DATED,	

W.P.(C) No.17394/2022 & connected cases : 86 :

APPENDIX OF WP(C) 34381/2022

EXHIBIT P1		ED BY					MAHAZAR DATED,
EXHIBIT P2	ву т		HON'B	LE	COURT	' IN	PASSED W.P.
EXHIBIT P3		P. (C) N	0.322	52/20	22 D		12-10-

W.P.(C) No.17394/2022 & connected cases : 87 :

APPENDIX OF WP(C) 34485/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZURE	MAH	AZAR
		PREPAR	ED B	Y TH	E 2N	ID RESPO	NDENT	IN
		RESPEC	T OF	THE	VEHI	CLE OWNE	D BY	THE
		FIRST	PETITI	ONER	, DATI	ED, 27-10	-2022	•
EXHIBIT	P2	TRUE	COPY	OF	THE	SEIZURE	MAH	AZAR
		PREPAR	ED B	Y TH	E 2N	ID RESPO	NDENT	IN
		RESPEC	T OF	THE	VEHIC	CLE OWNE	D BY	THE
		SECOND	PETII	CIONE	R, DA	FED, 27-1	0-2022	2.
EXHIBIT	P3	A TRUE	COPY	OF T	HE IN	TERIM ORD	ER PAS	SSED
		IN W.	P. (C) N	10.27	053/20	022 DATE	D, 23	3-8-
		2022 O	F THIS	HON	'BLE (COURT.		
EXHIBIT	P4	A TRUE	COPY	OF T	HE IN	TERIM ORD	ER PAS	SSED
		IN W.	P. (C) N	10.20	520/20	022 DATE	D, 28	8-6-
		2022 0	F THIS	HON	'BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 88 :

APPENDIX OF WP(C) 34517/2022

EXHIBIT P1	TRUE COPY	OF TH	E SEIZURE	MAHAZAR
	PREPARED	BY THE	2ND RESPONI	DENT IN
	RESPECT OF	THE VE	HICLE OWNED	BY THE
	FIRST PETI	TIONER, DA	TED, 21-10-2	022.
EXHIBIT P2	TRUE COPY	OF TH	E SEIZURE	MAHAZAR
	PREPARED	BY THE	2ND RESPONI	DENT IN
	RESPECT OF	THE VE	HICLE OWNED	BY THE
	SECOND PET	TIONER, D	ATED, 21-10-	2022.
EXHIBIT P3	A TRUE COP	Y OF THE	INTERIM ORDE	R PASSED
	IN W.P. (C)	NO.27053/2	022 DATED, 2	3-8-2022
	OF THIS HO	N'BLE COUR	T.	
EXHIBIT P4	A TRUE COP	Y OF THE	INTERIM ORDE	R PASSED
	IN W.P. (C)	NO.20520/2	022 DATED, 2	8-6-2022
	OF THIS HO	N'BLE COUR	T.	

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W.P.(C) No.17394/2022 & connected cases : 89 :

APPENDIX OF WP(C) 34680/2022

EXHIBIT	P1		ED BY					MAHAZAR DATED,
EXHIBIT	P2	BY I		HON'B	LE	COURT	' IN	PASSED W.P.
EXHIBIT	Р3	IN W.		0.322	52/20	22 D		12-10-

W.P.(C) No.17394/2022 & connected cases : 90 :

APPENDIX OF WP(C) 34806/2022

EXHIBIT P1	 Y THE 2N	E SEIZURE D RESPONDENT	
EXHIBIT P2	 	INTERIM ORDER /2022 DATED,	
EXHIBIT P3) NO.31396/	INTERIM ORDER /2022 DATED, COURT.	

W.P.(C) No.17394/2022 & connected cases : 91 :

APPENDIX OF WP(C) 34952/2022

EXHIBIT	P1	A	TRU	E (COPY	OI	THE	REGIS	TRATION
			RTIFI TITIC		OF	THE	VEHICLE	OWNED	BY THE
EXHIBIT	P2	A	TRUE	COPY	OF	THE	INTERIM	ORDER	PASSED
		BY (C		HIS 27053			E COURT		
EXHIBIT	P3	A	TRUE	COPY	OF	THE	INTERIM	ORDER	PASSED
							/2022 D E COURT.	ATED,	12-10-

W.P.(C) No.17394/2022 & connected cases : 92 :

APPENDIX OF WP(C) 35102/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZURE	MAHAZAR
		PREPA	RED BY	THE	2ND	RESPONDENT	DATED,
		29-10	-2022.				
EXHIBIT	P2	A TR	UE CO	PY O	F TH	E INTERIM	ORDER
		PASSE	D IN T	N.P. (C) NO.	27053/2022	DATED,
		23-8-	2022.				
EXHIBIT	Р3	A TR	UE CO	PY O	F TH	E INTERIM	ORDER
		PASSE	D IN T	N.P. (C) NO.	31396/2022	DATED,
		30-9-	2022 OF	THI	S HON	BLE COURT.	

W.P.(C) No.17394/2022 & connected cases : 93 :

APPENDIX OF WP(C) 35434/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZU	RE M	IAHAZAR
		PREPAR 2-11-2		THE	2ND	RESPON	DENT	DATED,
EXHIBIT	P2					TERIM C		
EXHIBIT	P3	IN W.		0.336	73/20	TERIM C 022 DAT COURT.		

W.P.(C) No.17394/2022 & connected cases : 94 :

APPENDIX OF WP(C) 35456/2022

EXHIBIT P1	TRUE COPY OF REGISTRATION CERTIFICATE OF JCB BEARING REG. NO. KL-55X-6362.
EXHIBIT P2	TRUE COPY OF REGISTRATION CERTIFICATE OF MINI LORRY BEARING REG. NO. KL-55K-5102.
EXHIBIT P3	TRUE COPY OF REGISTRATION CERTIFICATE OF MINI LORRY REG. NO. KL-57B-4669.
EXHIBIT P4	TRUE COPY OF THE SEIZURE MAHAZAR DATED 2-11-2022 PREPARED BY THE RESPONDENT.
EXHIBIT P5	TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN W.P(C)NO.27053/2022 DATED 23-8-2022.
EXHIBIT P6	TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN W.P(C)NO.33832/2022 DATED 25-10-2022.
EXHIBIT P7	TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN W.P(C)NO.34133 DATED 27-10-2022.

W.P.(C) No.17394/2022 & connected cases : 95 :

APPENDIX OF WP(C) 35601/2022

EXHIBIT P1	TRUE COPY OF THE SEIZURE MAHAZAR PREPARED BY THE 2ND RESPONDENT DATED, 3-11-2022.
EXHIBIT P2	A TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN W.P. (C)NO.27053/2022 DATED, 23-8-2022.
EXHIBIT P3	A TRUE COPY OF THE INTERIM ORDER PASSED IN W.P. (C) NO.32252/2022 DATED, 12-10-2022 OF THIS HON'BLE COURT.

W.P.(C) No.17394/2022 & connected cases : 96 :

APPENDIX OF WP(C) 35613/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZ	URE	MAHAZAR
		PREPA	RED BY	THE	2ND	RESPO	NDENT	DATED,
		5-11-	2022.					
EXHIBIT	P2	A TRU	E COPY	OF TH	E IN	TERIM	ORDER	RPASSED
		BY	THIS	HON'E	BLE	COURT	' IN	W.P.
		(C) NO	.27053/	/2022	DATE	0, 23-	8-202	2.
EXHIBIT	P3	A TRU	E COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W	.P. (C) N	10.322	52/20)22 D	ATED,	12-10-
		2022	OF THIS	HON'	BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 97 :

APPENDIX OF WP(C) 35788/2022

EXHIBIT	P1	TRUE	COPY	OF	' TE	HE SEI	ZURE I	MAHAZAR
		PREPA	RED BY	THE	2ND	RESPONI	ENT DA	TED, 4-
		11-20	22.					
EXHIBIT	P2	A TRU	E COPY	OF	THE	INTERIM	ORDER	PASSED
		BY	THIS	HON	I'BLE	COUR	T IN	W.P.
		(C) NO	.27053	/202	2 DA:	TED, 23-	8-2022	
EXHIBIT	P3	A TRU	E COPY	OF	THE	INTERIM	ORDER	PASSED
		IN W	P. (C)	NO.3	2252	/2022 I	ATED,	12-10-
		2022	OF THI	S HO	N'BL	E COURT.		

W.P.(C) No.17394/2022 & connected cases : 98 :

APPENDIX OF WP(C) 36136/2022

PETITIONER'S EXHIBITS

EXHIBIT P1 TRUE COPY OF THE SEIZURE MAHASAR DATED 31.10.2022 PREPARED BY THE

W.P.(C) No.17394/2022 & connected cases : 99 :

APPENDIX OF WP(C) 36137/2022

EXHIBIT P1	 _	SEIZURE MAHAZAR PONDENT DATED, 8-
EXHIBIT P2	 HON'BLE C	
EXHIBIT P3	 0.32252/202	ERIM ORDER PASSED 2 DATED, 12-10- JRT.

W.P.(C) No.17394/2022 & connected cases : 100 :

APPENDIX OF WP(C) 36287/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZ	URE	MAHAZAR
				THE	2ND	RESPO	NDENT	DATED,
		8-11-	2022.					
EXHIBIT	P2	A TRU	E COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W	.P.(C)1	10.270	53/2	022 I	ATED,	23-8-
		2022.						
EXHIBIT	P3	A TRU	E COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W	.P. (C) N	ro.336	73/20	022 D	ATED,	21-10-
		2022	OF THIS	HON'	BLE (COURT.		

W.P.(C) No.17394/2022 & connected cases : 101 :

APPENDIX OF WP(C) 36289/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZU	JRE	MAHAZAR
		PREPAR	ED BY	THE	2ND	RESPO	NDENT	DATED,
		8-11-2	022.					
EXHIBIT	P2	A TRUE	COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W.	P. (C) N	io.270	53/2	022 D	ATED,	23-8-
		2022.						
EXHIBIT	P3	A TRUE	COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W.	P. (C) N	0.336	73/20)22 DA	TED,	21-10-
		2022 O	F THIS	HON'	BLE (COURT.		

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W.P.(C) No.17394/2022 & connected cases : 102 :

APPENDIX OF WP(C) 36307/2022

EXHIBIT	P1	TRUE	COPY	OF	THE	SEIZ	URE	MAHAZAR
		PREPAR	RED BY	THE	2ND	RESPO	NDENT	DATED,
		8-11-2	2022.					
EXHIBIT	P2	A TRUE	E COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W	.P. (C)1	NO.270	53/20)22 I	ATED,	23-8-
		2022.						
EXHIBIT	P3	A TRUE	E COPY	OF TH	E IN	TERIM	ORDER	PASSED
		IN W.	P. (C) N	10.336	73/20	22 D	ATED,	21-10-
		2022 (OF THIS	HON'	BLE C	COURT.		