

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFIQUE

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

Con.Case(C).No. 1286 of 2014 (S)

AGAINST THE JUDGMENT IN W.P.(C).NO.13005/2014, DATED 11.06.2014

PETITIONER(S) :

**JOHN JOSEPH, AGED 55 YEARS,
S/O.JOSEPH, KALLUMADATHIL HOUSE, KALAYANTHANI P.O.,
THODUPUZHA TALUK.**

**BY ADVS.SRI.S.VIDYASAGAR
SMT.K.J.SONIA**

RESPONDENT(S) :

**SMT. SREEKALA,
W/O.NOT KNOWN TO THE PETITIONER, ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, IDUKKI, ESSAREN BUILDING,
AANAKKODU JUNCTION, THODUPUZHA, PIN-685 534.**

BY ADV. SRI. M.AJAY, S.C

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 15-01-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE 1:** THE CERTIFIED COPY OF THE JUDGMENT DATED 11.06.2014 IN W.P.(C).NO.13005/2014.
- ANNEXURE 2:** THE TRUE COPY OF NOTICE DATED 08.07.2014 FORWARDING COPY OF ANNEXURE-1 JUDGMENT TO THE RESPONDENT.
- ANNEXURE 3:** THE TRUE COPY OF THE POSTAL RECEIPT SHOWING DELIVERY OF ANNEXURE-2 NOTICE WITH ANNEXURE-1 JUDGMENT POSTAL RECEIPT DATED 09.07.2014.
- ANNEXURE 4:** THE TRUE COPY OF THE ORDER DATED 13.11.2014 IN W.P.(C).NO.27520/2014.
- ANNEXURE 5:** THE TRUE COPY OF THE LAWYER NOTICE DATED 06.11.2014, ISSUED TO THE RESPONDENT.
- ANNEXURE 6:** THE TRUE COPY OF THE ACKNOWLEDGEMENT CARD, SHOWING THAT THE RESPONDENT RECEIVED THE LAWYER NOTICE ON 11.11.2014.

RESPONDENT(S)' ANNEXURES :

- ANNEXURE R(A):** A TRUE COPY OF MINUTES AND ATTENDANCE SHEET DATED 06.08.2014.
- ANNEXURE R(B):** A TRUE COPY OF LETTER ISSUED BY ALAKODE VILLAGE OFFICER DATED 25.11.2014.

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.M.SHAFFIQUE, J

Cont.Case.No.1286 of 2014

Dated this the 15th day of January 2015

J U D G M E N T

This contempt case has been filed alleging non-compliance of the directions issued by this Court on 11/06/2014.

2. An affidavit has been filed by the respondent inter alia stating that necessary enquiries had been made in the matter and it is observed that the consent to operate has already expired on 24/09/2014. Further, it is mentioned that application, if any received in future from the Meenuttupura area will be considered after conducting necessary enquiry.

In the light of the affidavit filed by the respondent, I do not think that a case of wilful contempt has been made out by the complainant as the directions have already been complied with. Therefore, this contempt case is dropped.

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

