

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 163 of 2015 (U)

PETITIONER :

**DEEPU S., AGED 37 YEARS,S/O.SALIM KUMAR,
RESIDING AT ANANDHA BHAVANAM,
CHEMPU P.O, VAIKOM**

BY ADV. SRI.M.A.ASIF

RESPONDENTS :

- 1. DISTRICT GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, KOTTAYAM 686 001**
- 2. GOVT. OF KERALA
REP BY PRINCIPAL SECRETARY, INDUSTRIES DEPARTMENT
GOVT.SECRETARIAT, THIRUVANANTHAPURAM 695 001**

BY SENIOR GOVERNMENT PLEADER SRI. JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE LETTER DATED 4-2-2011 OF THE CHIEF EXECUTIVE OFFICER,O/O ASSISTANT DIRECTOR OF FISHERIES,KOTTAYAM.
- P2: TRUE COPY OF POSSESSION CERTIFICATE DATED 24-01-208 ISSUED BY THE VILLAGE OFFICER,CHEMPU VILLAGE.
- P3: TRUE COPY OF THE INFORMATION DATED 5-11-12 REGARDING THE DATA BANK OF PADDY LAND AND WETLAND OF CHEMPU VILLAGE
- P4: TRUE COPY OF THE LOCATION SKETCH OF THE PETITIONER'S PROPERTY.
- P5: TRUE COPY OF JUDGMENT DATED 12-06-2013 OF THIS HON'BLE COURT IN WPC NO 14847 OF 2013.
- P6: TRUE COPY OF PERMIT NO 72/2013-2014/1031/DOY/ML/2013 DATED 04-09-2013 ISSUED BY THE 1ST RESPONDENT
- P7: TRUE COPY OF CORRECTED PERMIT NO 89/2013-2014/1031/DOY/ML/2013 DATED 07-10-2013 ISSUED BY THE 1ST RESPONDENT.
- P8: TRUE COPY OF THE TREASURY CHALAN DATED 07-10-2013 SHOWING REMITTANCE OF APPLICATION FEE OF RS.200.00 AT DISTRICT TREASURY,KOTTAYAM.
- P9: TRUE COPY OF THE 'A' FORM SUBMITTED BY THE PETITIONER ON 07-10-2013
- P10: TRUE COPY OF THE QUARRYING ACCOUNT UPTO 08-10-2013 APPROVED BY THE 1ST RESPONDENT.
- P11: TRUE COPY OF THE STOP MEMO DATED 23-10-2013 ISSUED BY THE CHEMPU PANCHAYATH.
- P12: TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER ON 28-10-2013
- P13: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT DATED 28-11-2014 IN WPC NO 27087 OF 2013.
- P14: TRUE COPY OF THE PROCEEDINGS NO A7 4823/13 DATED 26-12-2014 ISSUED BY THE CHEMPU PANCHAYATH WITHDRAWING EXT.P11 STOP MEMO

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.163 of 2015

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Dated this the 14th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

i) Issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to issue the petitioner the required additional Cash Memorandum (P Forms) to transport the remaining 653 MT of ordinary sand and grant required time extension for Ext.P7 permit;

ii) Issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to consider and pass orders on Ext.P9 application".

2. Heard the learned Government Pleader as well.

3. Considering the limited nature of relief sought for, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P9 application preferred by the petitioner in accordance with law, after giving an opportunity of hearing to the petitioner, at the earliest, at any

rate, within one month from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

**P.R.RAMACHANDRA MENON,
JUDGE**

sj