

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 943 of 2015 (P)

PETITIONER(S):

**PAUL MATHEW,
S/O.POULOSE, AGED 59 YEARS,
KUTTICHIRAKKUDIYIL (H), MANCHIPLAVU P.O.,
ADIMALI, IDUKKI DISTRICT.**

**BY ADVS.DR.MATHEW A KUZHALANADAN
SMT.VINEETHA V.KUMAR**

RESPONDENT(S):

- 1. GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, IDUKKI, MINI CIVIL STATION,
THODUPUZHA - 685 553.**
- 2. DIRECTOR OF MINING AND GEOLOGY,
DEPARTMENT OF MINING AND GEOLOGY,
KERALA, THIRUVANANTHAPURAM - 695 001.**
- 3. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
MINING & GEOLOGY DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

**BY ADVOCATE GENERAL SRI.K.P.DANDAPANI &
SPECIAL GOVERNMENT PLEADER SRI.C.S.MANILAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 943 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1: TRUE COPY OF THE REFERRD QUARRYING PERMIT
NO. CRPS-72/12-13/GBS/DOI/140/M/13, DATED 04/03/2013.
- EXT.P2: TRUE COPY OF THE LICENCE DATED 28/03/2012.
- EXT.P2(A): TRUE COPY OF THE CONSENT NO. PCB/IDK/ICO/64/2012,
DATED 24/03/2012.
- EXT.P3: TRUE COPY OF THE RENEWAL APPLICATION DATED 06/05/2014
SUBMITTED BY THE PETITIONER.
- EXT.P4: TRUE COPY OF THE ORDER DATED 11/12/2014 IN WPC.NO. 31177/2014
PASSED BY THIS HON'BLE COURT.
- EXT.P4(A): TRUE COPY OF THE PERMIT NO. CRPS.39/14-15/GBS/DOI/1272/M/2014,
DATED 21/11/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P5: TRUE COPY OF THE ORDER DATED 16/12/2014 IN WPC NO. 6361/2014
PASSED BY THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS: - NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

ASHOK BHUSHAN, Ag.C.J.
&
A.M. SHAFFIQUE, J.

W.P.(C) No.943 of 2015

Dated this the 11th day of February, 2015

JUDGMENT

Shaffique, J.

This writ petition is filed seeking the following reliefs:

i. To issue a writ in the nature of mandamus or any other writ directing the 1st respondent to comply with Ext.P4 interim directions passed by this Hon'ble Court;

ii. To issue a writ in the nature of mandamus or any other writ, order or direction to declare that Ext.P5 directions do not affect the compliance of Ext.P4 direction passed by this Hon'ble Court;

iii. To declare that the petitioner is eligible to continue the quarrying operations in the strength of Ext.P1, P2, P3 and other relevant documents; and

iv. Issue such other writ, direction or order that this Hon'ble Court may deem fit, just and necessary in the facts and circumstances of the case.

2. Exts.P4 is an interim order issued by this Court and Ext.P5 is another interim order issued by the Division Bench of this Court. There cannot be a writ issued for compliance with the directions issued by this Court. Further relief prayed for is to permit the petitioner to proceed with the quarrying

operations based on Exts.P1, P2 and P3. Ext.P1 is the permit, which expired on 03.03.2014. Ext.P2 is the quarrying permit valid till 2012-2013. Ext.P2(a) consent is valid only till 11.03.2013. Ext.P4(a) mining permit expired on 20.12.2014.

3. Under such circumstances, the petitioner is not entitled for any reliefs sought for in the writ petition.

The writ petition is dismissed.

Sd/-
ASHOK BHUSHAN,
ACTING CHIEF JUSTICE.

Sd/-
A.M. SHAFFIQUE,
JUDGE.

//true copy//

P.S. To Judge

st/-