

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 1483 of 2015 (I)

PETITIONER(S):

**FEROKE CO-OPERATIVE LABOUR CONTRACT
SOCIETY LTD.NO.D 2855,
FEROKE P.O., KOZHIKODE, PIN-673631,
REPRESENTED BY ITS SECRETARY.**

**BY ADVS.SRI.P.J.MATHEW
SRI.AJITH GEORGE**

RESPONDENT(S):

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVT.,
FISHERIES AND PORTS (D) DEPARTMENT,
GOVT.SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE DIRECTOR OF PORTS,
VALIYATHURA, THIRUVANANTHAPURAM-695008.**
- 3. THE SENIOR PORT CONSERVATOR, BEYPORE PORT,
BEYPORE P.O., KOZHIKODE-673015.**

BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P1 : TRUE COPY OF THE REGISTRATION CERTIFICATE.

EXT. P2 : TRUE COPY OF THE PERMIT ISSUED FOR THE PERIOD 1-7-13 TO 31-7-13.

EXT. P3 : TRUE COPY OF THE GOVT.ORDER DT.16-8-2013.

EXT. P4 : TRUE COPY OF THE TENDER SUBMITTED BY THE PETITIONER.

**EXT. P5 : TRUE COPY OF THE LETTER ISSUED BY THE PUBLIC INFORMATION
OFFICER OF THE DIRECTORATE OF PORTS.**

EXT. P6 : TRUE COPY OF THE AGREEMENT DT.14-11-2014.

EXT. P7 : TRUE COPY OF THE PERMIT FOR THE PERIOD 5-1-2015 TO 31-5-2015.

**EXT. P8 : TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER
DT.18-12-14.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.1483 of 2015

Dated this the 21st day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"(i) To issue a writ of mandamus commanding the respondents to permit the petitioner society to remove sand from B2 zone of Beypore Port by manual dredging for a term of one year from 14.11.2014 as per the terms and conditions included in Exhibit P6 agreement.

(ii) To pass any other order this Hon'ble Court deems fit and proper in the facts and circumstances of the case."

2. The learned counsel for the petitioner submits that the petitioner, who is a Labour Contract Society, has been doing manual dredging operation to remove the sand from B2 zone of Beypore Port for quite long and it was being extended from time to time. It is stated that, Ext.P6 agreement has been executed on 14.11.2014. The grievance of the petitioner is with regard to the monthly extension and the prayer is to cause the extension to be effected for a period of one year. The last extension as per Ext.P7 will come to an end by 31st of this month and in the said circumstances, the petitioner had already moved the 2nd

respondent by way of Ext.P8 representation dated 18.12.2014, projecting the grievance. The prayer is to cause the same to be considered and disposed of immediately.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P8 representation, as expeditiously as possible, at the earliest, at any rate, before 31st of January, 2015.

Petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the 2nd respondent, for further steps.

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

sp