

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No.1496 of 2015 (J)

PETITIONER:

**THE GREENSTEP NATURE SOCIETY,
REGISTRATION NO.KTM/TC/842/14,
IRUVELIKUNNEL BUILDING,KIZHITHIRI P.O
KOTTAYAM DISTRICT,PIN 686 576,
REPRESENTED BY ITS SECRETARY,JAYAPRAKASH R.**

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENT:

**THE DIRECTOR,MINING AND GEOLOGY,PATTAM PALACE P.O
THIRUVANANTHAPURAM,PIN: 695 004.**

BY SENIOR GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-02-2015, ALONG WITH WPC.1681/2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:**

pk

WP(C).No.1496 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS:

**EXHIBIT P1:TRUE COPY OF THE REGISTRATION CERTIFICATE OF THE
PETITIONER SOCIETY DATED 24.12.14.**

**EXHIBIT P2:TRUE COPY OF THE SUGGESTIONS SUBMITTED BY THE
PETITIONER BEFORE THE RESPONDENT ON 31.12.14 ALONG WITH
POSTAL ACKNOWLEDGMENT CARD.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

pk

P.R. RAMACHANDRA MENON J.

~~~~~

W.P.(C) Nos.1496 and 1681  
of 2015

~~~~~

Dated, this the 3rd day of February, 2015

JUDGMENT

Steps which are being pursued by the respondent to finalize the amendment to Kerala Minor Mineral Concession Rules 1967, without considering the suggestions preferred by the petitioner forms the subject matter of challenge in these writ petitions.

2. Pursuant to the notification issued by the respondent, detailed suggestions were submitted by the petitioner in W.P.(C) No. 1496 of 2015, as borne by Ext. P1, on 31.12.2014, which was sent by registered post, as revealed from the postal receipt dated 31.12.2014 affixed on Ext. P2. In other case i.e. W.P.(C) No. 1681 of 2015, Ext. P1 is the statement of objection preferred by the petitioner on 26.12.2014 and the postal acknowledgment card returned from the respondent reveals that the same was served on 31.12.2014. The petitioner has filed I.A. No. 1610 of 2015, producing two additional documents as Exts. P3 and P4. Ext. P3 is the notification published in the website of the respondent inviting suggestions, if any, to be

preferred either by letter, e-mail or fax before 31.12.2015 and that, apart from sending suggestions by registered post, the petitioner has forwarded the same through 'e-mail' as well on 31.12.2014, as evident from Ext. P4. This being the position, there is no rhyme or reason in refusing to consider the suggestions. Hence the writ petition.

3. Heard the learned Government Pleader as well.

4. During the course of hearing, it is brought to the notice of this Court that the notification issued by the respondent had specifically made it clear that suggestions, if any, were to be submitted before 31.12.2014. It is seen from Ext. P3 that in the Malayalam version, the suggestions were to be submitted before 31.12.2014 and in the English version of the very same notification, it is mentioned that the last date for submission of opinion would be on 31.12.2014.

5. After hearing both the sides, this Court finds that the petitioners had already submitted their suggestions, which admittedly reached the respondent on the last date of submission of information on 31.12.2014. As such, if the proceedings to amend the Rules are still to be finalized, submissions made by the

*W.P.(C) No. 1496 and 1681
of 2015*

: 3 :

petitioners as well might be considered and finalized along with other valid suggestions.

With the above observations, the writ petitions stand disposed of.

The petitioners shall produce a copy of this judgment along with copy of the concerned writ petition before the respondent for further steps.

Sd/-

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

kmd