

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 1589 of 2015 (W)

PETITIONER:

OLAM AGRO INDIA LTD.,
9/102, VARIKOLI P.O.,
PUTHENCROUZ-682 308,
ERNAKULAM DISTRICT,
REPRESENTED BY
OPERATIONS HEAD MR.V.RAJESH NATH.

BY ADVS.SRI.R.SANJITH
SMT.C.S.SINDHU KRISHNAH

RESPONDENTS:

1. THE STATE OF KERALA
REP.BY ITS SECRETARY
DEPARTMENT OF LOCAL SELF GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM-695 001.
2. THE SECRETARY,
THIRUVANIYOOR GRAMA PANCHAYATH,
THIRUVANIYOOR-682 308.

R2 BY ADV. SRI.T.K.AJITHKUMAR (VALATH)
R1 BY GOVT. PLEADER SRI.G.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 1589 of 2015 (W)

PETITIONER'S EXHIBITS:

EXT. P1 : TRUE COPY OF MANUFACTURING LICENSE ISSUED BY THE 2ND RESPONDENT DATED 30.5.2013 FOR THE PERIOD 2013-2014.

EXT. P2 : TRUE COPY OF THE APPLICATION FOR RENEWAL WITH ENCLOSURES DATED 26.2.2014 SENT BY THE PETITIONER TO THE 2ND RESPONDENT.

EXT. P3 : TRUE COPY OF THE COMMUNICATION DATED 15.3.2014 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXT. P4 : TRUE COPY OF THE NOTICE DATED 9.5.2014 SENT BY THE 2ND RESPONDENT TO THE PETITIONER.

EXT. P5 : TRUE COPY OF THE REPLY DATED 19.5.2014 SENT BY THE PETITIONER TO THE 2ND RESPONDENT.

EXT. P6 : TRUE COPY OF THE LETTER DATED 19.9.2014 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT ALONG WITH ENCLOSURES.

EXT. P7 : TRUE COPY OF THE LICENSE DATED 6.12.2012 ISSUED BY THE 2ND RESPONDENT.

EXT.P8 : TRUE COPY OF THE STOP MEMO DATED 14.1.2015 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.1589 of 2015 W

Dated this the 11th day of March, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the first respondent, as well as the learned Standing Counsel for the second respondent, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, for the past ten years the petitioner is carrying on the business of manufacturing and exporting agricultural commodities, like cashew, spices, cotton, coffee, etc., within the territorial limits of the second respondent Grama Panchayat. When it applied through Exhibit P2 for renewal of licence for the year 2014-15, the second respondent issued Exhibit P4 communication

seeking certain clarifications, which were provided by the petitioner through Exhibit P6.

3. The grievance of the petitioner is that instead of considering Exhibit P2 application in the light of Exhibit P6 clarification submitted by it, the second respondent has issued Exhibit P8 stop memo. Assailing the said stop memo, the petitioner has filed the present writ petition.

4. The learned counsel for the petitioner has submitted that nearly four hundred persons are working in the unit run by the petitioner and there is no basis for the second respondent to issue Exhibit P8 stop memo. She has eventually urged this Court to direct the second respondent to consider petitioner's Exhibit P2 application for renewal of licence for the year 2014-15.

5. The learned Standing Counsel for the second respondent has, on instructions, submitted that the second respondent will take every step to dispose of Exhibit P2 application of the petitioner as expeditiously as possible.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader, as well as the learned Standing Counsel, this Court, apart from setting aside Exhibit P8 stop memo, further directs the second respondent to consider petitioner's Exhibit P2 application in accordance with law, and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of two weeks from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

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