

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 1667 of 2015 (G)

PETITIONER(S):

**SASIKUMAR, AGED 46 YEARS,
S/O. KESHAVAN, PARAMADU HOUSE, ERUTHENPATHI P.O.,
ERUTHENATHI VILLAGE, CHITTUR TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST, PALAKKAD,
DEPARTMENT OF MINING AND GEOLOGY,
PALAKKAD DISTRICT - 678 001.**
- 2. THE DIRECTOR OF MINING AND GEOLOGY,
DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM,
PATTOM, THIRUVANANTHAPURAM - 695 001.**
- 3. THE DISTRICT COLLERCTOR,
PALAKKAD, CIVIL STATION, PALAKKAD DISTRICT - 678 001.**

BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE SKETCH OF THE PROPERTY ISSUED BY HEAD
QUARTERS DEPUTY TAHASILDAR, CHITTUR DT. 20.4.12.
- P2 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE SECRETARY,
VADAKARAPATHY GRAMA PANCHAYATH DT. 21.5.12 TO CHANDRAKALA.
- P3 - TRUE COPY OF THE CERTIFICATE ISSUED BY THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, VADAKARAPATHY.
- P4 - TRUE COPY OF THE NO OBJECTION CERTIFICATE DT. 23.8.13 ISSUED BY THE
THIRD RESPONDENT TO THE PETITIONER.
- P5 - TRUE COPY OF THE MINING PERMIT DT. 09.10.13 ISSUED BY THE FIRST
RESPONDENT ISSUED TO THE PETITIONER.
- P6 - TRUE COPY OF THE ORDER DT. 09.12.13 ISSUED BY THE THIRD
RESPONDENT DT. 09.12.13.
- P7 - TRUE COPY OF THE APPLICATION DT. 25.11.14 SUBMITTED BY THE
PETITIONER BEFORE THE FIRST RESPONDENT.
- P8 - TRUE COPY OF THE G.O(P) NO. 54/2010/ID DT. 10.3.10 ALONG WITH
EXPLANATORY NOTE.
- P9 - TRUE COPY OF THE JUDGMENT DT. 23.1.14 IN WPC NO. 30418/2013.
- P10 - TRUE COPY OF THE JUDGMENT DT 16.12.14 IN WPC NO. 33956/14.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.1667/2015**  
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Dated this the 22nd Day of December, 2015

J U D G M E N T

The petitioner was granted no-objection certificate by the District Collector as per Ext.P4 for construction of pond. Thereafter, the Geologist issued permit to remove earth from the pond. The petitioner approached this Court seeking further renewal of permit by the Geologist.

2. In the light of the fact that the petitioner has already obtained no-objection certificate, this Court is of the view that the Geologist shall renew the permit without further insistence of production of no-objection certificate. It is also made clear that if the petitioner is engaged in widening or construction of pond, the

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petitioner is free to do so in the light of the no-objection certificate issued by the District Collector or based on the permit issued by the Geologist; and the police or the revenue officials shall not interfere with such lawful activities of the petitioner.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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