

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 1861 of 2015 (G)  
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PETITIONER(S):  
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JOY, S/O.PATHROSE AGED 45 YEARS  
OYYARATH HOUSE, MARANGATTULI KARA  
THIRUVANIYOOR VILLAGE, ERNAKULAM, PIN - 682 308.

BY ADVS.SRI.PAUL K.VARGHESE  
SMT.A.A.GEETHA

RESPONDENT(S)/RESPONDENTS:  
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1. STATE OF KERALA  
REPRESENTED BY THE SECRETARY  
(LOCAL SELF GOVERNMENT INSTITUTIONS) GOVERNMENT  
SECRETARIAT  
THIRUVANANTHAPURAM - 695 001.
  2. THIRUVANIYOOR GRAMA PANCHAYATH  
REPRESENTED BY ITS SECRETARY  
THIRUVANIYOOR GRAMA PANCHAYATH, ERNAKULAM - 682 308.
  3. THE SECRETARY  
THIRUVANIYOOR GRAMA PANCHAYATH, ERNAKULAM - 682 308.
  4. THIRUVANIYOOR GRAMA PANCHAYATH COMMITTEE  
REPRESENTED BY ITS PRESIDENT  
THIRUVANIYOOR GRAMA PANCHAYATH, ERNAKULAM - 682 308.
- R2-R4 BY ADV. SRI.T.K.AJITHKUMAR (VALATH)  
R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX IN WP(C).No. 1861 of 2015 (G)**

PETITIONER'S EXHIBITS:

EXT.P1: A TRUE COPY OF THE JUDGMENT IN WPC.NO. 23026/2014 OF THE HONOURABLE COURT DATED 01/09/2014.

EXT.P2: A TRUE COPY OF THE ORDER OF THE GEOLOGIST GRANTING PERMISSION TO REMOVE EARTH BY THE GEOLOGIST DATED 27/10/2014.

EXT.P3: A TRUE COPY OF THE RECEIPT SHOWING PAYMENT OF RS.45020/- BY THE PETITIONER AS ROYALTY DATED 14/10/2014.

EXT.P4: A TRUE COPY OF THE ORDER IN OP(C) 2741/2014 OF THIS HONOURABLE COURT DATED 18/12/2014.

EXT.P5: A TRUE COPY OF THE STOP MEMO ISSUED BY THE SECRETARY THIRUVANIYOOR GRAMA PANCHAYATH TO THE PETITIONER DATED 29/10/2014.

EXT.P5(a): THE ENGLISH TRANSLATION OF EXHIBIT P5.

EXT.P6: A TRUE COPY OF NO.A2-5389/2014 NOTICE CANCELLING THE BUILDING PERMIT OF THE PETITIONER ISSUED BY THE PANCHAYATH SECRETARY DATED 27/11/2014.

EXT.P6(a): THE ENGLISH TRANSLATION OF EXHIBIT P6.

EXT.P7: A TRUE COPY OF THE DECISION NO. 2 OF THE RESPONDENT PANCHAYATH DATED 17/11/2014.

EXT.P7(a): THE ENGLISH TRANSLATION EXHIBIT P7.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

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W.P.(C)No.1861 of 2015 G

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Dated this the 6<sup>th</sup> day of February, 2015

**JUDGMENT**

In the light of the ratio laid down in W.P.(C)No. 31760/2014, the present writ petition is also disposed of on the same lines applying the ratio laid down by this Court in the said judgment, thereby quashing Exhibit P5 to P7.

Dama Seshadri Naidu, Judge

tkv