

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 28TH DAY OF JANUARY 2015/8TH MAGHA, 1936

WP(C) .No. 2425 of 2015 (C)

PETITIONER(S) :

MANIYAN,
AGED 55 YEARS,
KUNHIPENGAN, KUTTIPARAMBATH HOUSE,
PUTHANCHIRA P.O.,
THRISSUR DISTRICT.

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA.

RESPONDENT(S) :

GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT,
THRISSUR,
PIN - 680 003.

BY SENIOR GOVERNMENT PLEADER SRI. JOSEPH GEORGE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ivs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1. TRUE COPY OF THE CONSENT LETTER ISSUED BY
PUTHENCHIRA GRAMAPANCHAYATH DATED 05.02.2014 TO THE
PETITIONER.

EXHIBIT P1 (A) . TRUE COPY OF THE PLAN OF THE PETITIONER'S HOUSE.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.2425 of 2015

Dated this the 28th day of January, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i. Issue a writ in the nature of mandamus commanding the respondent to accept the 'P Form' for transportation of ordinary earth from petitioner's property, in view of Ext.P1 building permit/consent letter and grant the permission for transportation of ordinary earth, within such time as may be fixed by this Hon'ble Court.

ii. Issue such other orders, writs or directions as are deemed fit by this Hon'ble Court.

iii. Award cost of this proceedings to the petitioners."

2. Heard the learned Government Pleader and the learned counsel for the petitioner.

3. In view of the Government Order bearing No.G.O.(P) No.93/2014/ID dated 30.06.2014, no quarrying permit is necessary for extracting ordinary earth, if a valid building permit is obtained. However, P Form is necessary to transport the excavated earth. In the said circumstance, the respondent/ Geologist is directed to issue P Forms to the petitioner on being

satisfied with the genuineness of the claim of the petitioner as per Ext.P1, without insisting for No Objection Certificate. The proceedings as above shall be finalized at the earliest, at any rate, within 'ten days' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment, along with a copy of the writ petition, before the respondent, for further steps.

The writ petition is disposed of.

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

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