

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 2463 of 2015 (G)

PETITIONER:

**SAJEER, S/O MUHAMMED BASHEER,
AGED 33 YEARS, T.V. SAJNA MANZIL,
PANGODE VILLAGE, AYIROOR, NEDUMANGAD TALUK,
THIRUVANANTHAPURAM.**

BY ADV. SRI.P.M.ZIRAJ.

RESPONDENTS:

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
THIRUVANANTHAPURAM DISTRICT-695 001.**
- 2. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTOM,
THIRUVANANTHAPURAM-695 001.**
- 3. THE STATE OF KERALA,
REPRESENTED BY JOINT SECRETARY TO GOVERNMENT,
INDUSTRIAL DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**

BY GOVT.PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 2463 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT
DATED 24.06.2014 IN WRIT APPEAL NO. 166 OF 2014.**
- EXT.P2 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
DATED 05.01.2015 BEFORE THE FIRST RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.2463 of 2015

Dated this the 15th day of October, 2015

JUDGMENT

The petitioner wants to have a dealer's licence for stock and sale of weathered sand. The petitioner's case is that a Division Bench of this Court in W.A.No.107/2014 and connected cases held that weathered sand cannot be classified as ordinary earth, whereas it falls under item (xxvii) coming under 'Sand (others)' in the Central Government notification dated 10.2.2015.

2. In that view of the matter, there shall be a direction to the first respondent to consider the application for dealer's licence in the light of the judgment in W.A.No.107 of 2014 and connected cases dated 16.9.2015 within a period of one month from the date of receipt of a copy of this judgment. If the dealer's licence is granted, necessarily OA forms shall be issued to the petitioner as well.

The Writ Petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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