

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. 2682 of 2015 (I)

PETITIONER(S):

**THRESSIA, AGED 62 YEARS,
W/O. CHERU, VELUKKARAN HOUSE,
VILVATTOM P.O., THRISSUR DISTRICT.**

**BY SRI.RENJITH THAMPAN, SENIOR ADVOCATE.
ADV. SMT.P.R.REENA.**

RESPONDENT(S):

**GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT,
AYYANTHOLE, THRISSUR - 680 003.**

BY SR. GOVT. PLEADER SRI.K.C. VINCENT.

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

rs.

WP(C).No. 2682 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS:-

**P1 - TRUE COPY OF THE BASIC TAX RECEIPT DATED 30.08.2014
ISSUED BY VILLAGE OFFICER, PERAMANGALAM.**

**P2 - TRUE COPY OF THE BUILDING PERMIT DATED 06.11.2014
ISSUED TO THE PETITIONER.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 2682 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 application for "P form" from the petitioner for transportation of ordinary earth from petitioner's property, in view of Ext.P1 building permit 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."

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

3. In view of 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 for construction of the residential building 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.P2 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.**

kp/-