

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 3RD DAY OF NOVEMBER 2015/12TH KARTHIKA, 1937

WP(C).No. 10219 of 2007 (N)

PETITIONER(S):

- 1. ABDULLAKUTTY HAJI, S/O. PULIKKAL HASSAN HAJI,
AGED 54 YEARS, PULIKKAL HOUSE,
P.O.CHEROOR, VIA VENGARA, MALAPPURAM DISTRICT.**
- 2. PANAKKATH KUNJUMUSALIAR,
PANAKKATH HOUSE, P.O.KANNAMANGALAM, VIA VENGARA,
MALAPPURAM DISTRICT.**

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENT(S):

- 1. DISTRICT COLLECTOR, MALAPPURAM.**
- 2. THE SUPERINTENDENT OF POLICE,
MALAPPURAM.**
- 3. REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM DISTRICT.**
- 4. TAHSILDAR,
TIRURANGADI, MALAPPURAM DISTRICT.**
- 5. JOINT CHIEF CONTROLLER OF EXPLOSIVES,
SOUTH CIRCLE, CHENNAI.**
- 6. SENIOR GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT, MALAPPURAM.**
- 7. SHEIK ABDULLA, S/O. CHAKIRI AHAMMED KUTTY,
AGED 55, JASMIN HOUSE,
P.O.CHEROOR, MALAPPURAM DISTRICT.**

**R1 TO R6 BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN
R7 BY ADV. SRI.T.G.RAJENDRAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE SITE PLAN GIVEN BY THE SENIOR SUPERINTENDENT, REVENUE DIVISIONAL OFFICE, TIRUR**
- P2 COPY OF THE JUDGMENT IN WPC.NO.1341 OF 2007**
- P3 COPY OF THE LICENCE ISSUED BY THE SENIOR GEOLOGIST OF MINING AND GEOLOGY DEPARTMENT REGARDING THE LICENCE ISSUED TO THE 7TH RESPONDENT ON 3/5/2006**
- P4 COPY OF THE COMMUNICATION ISSUED BY THE JOINT CONTROLLER OF EXPLOSIVES (CENTRAL) CHENNAI DATED 28/12/2006**
- P5 COPY OF THE STATEMENT GIVEN BY THE FIRST PETITIONER BEFORE THE VILLAGE OFFICER, KANNAMANGALAM ON 20/2/2007**
- P6 COPY OF THE ORDER PASSED BY THE THIRD RESPONDENT DATED 28/2/2007**
- P7 COPY OF THE ORDER ISSUED BY GEOLOGIST DATED 4/5/07**
- P8 COPY OF THE LETTER DATED 23/10/07**

RESPONDENT'S EXHIBITS:

- R7(A) COPY OF THE DISTRICT COLLECTOR MALAPPURAM DATED 27/3/07**
- R7(B) COPY OF THE PERMIT ISSUED BY THE GEOLOGICAL DEPARTMENT DATED 12/3/2007**
- R7(C) COPY OF THE APPLICATION FOR RENEWAL OF LICENCE DATED 2/3/2007**
- R7(D) COPY OF THE CHALLAN RECEIPT**
- R7(E) COPY OF THE COMMUNICATION SENT BY THE DEPUTY CONTROLLER OF EXPLOSIVES DATED 18/4/07**
- R7(F) COPY OF THE PETITION FILED BY SHEIK ABDULLA BEFORE THE DISTRICT COLLECTOR DATED 14/4/07**

/TRUE COPY/

P.S.TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.10219/2007

Dated this the 3rd Day of November, 2015

J U D G M E N T

The petitioners have approached this Court alleging that the 7th respondent is conducting quarrying operations without obtaining necessary permit. This writ petition is filed in the year 2007.

2. According to the learned counsel for the 7th respondent, the 7th respondent is having all requisite permits for operating the quarry.

3. This Court is of the view that if the petitioners approach the sixth respondent-Geologist with a request, the sixth respondent shall verify whether the 7th respondent is operating the quarry without any permit. If it is found that the 7th respondent is operating the quarry without any permit, the activities of the 7th respondent shall be stopped.

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

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)

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