

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 7947 of 2010 (P)

PETITIONER :

K.T.JOSHI, RESIDING AT JOSHI BHAVAN,
KALAVAMKODAM P.O., VAYALAR, CHERTHALA,
ALAPPUZHA DISTRICT, CONVENOR ACTION COUNCIL
AGAINST DYE HOUSE, KALAVAMKODAM VAYALAR, CHERTHALA,
ALAPPUZHA DISTRICT.

BY ADVS.SRI.R.RAJASEKHARAN PILLAI
SRI.R.SREEDHARAN NAIR
SMT.SABINA JAYAN

RESPONDENTS :

1. THE CHERTHALA TALUK SMALL SCALE
COIR MATTING PRODUCERS CO-OPERATIVE SOCIETY LTD
NO.A-886 KALAVAMKODAM P.O., CHERTHALA,
ALAPPUZHA DISTRICT.
2. THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS MEMBER SECRETARY,
THIRUVANANTHAPURAM.
3. ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, THONDANKULANGARA,
THATHAMPALLY P.O., ALAPPUZHA .
4. THE DISTRICT MEDICAL OFFICER, ALAPPUZHA.
5. THE VAYALAR GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, VAYALAR, CHERTHALA.
6. THE CHERTHALA MUNICIPALITY REPRESENTED
BY ITS SECRETARY, MUNICIPAL BUILDING, CHERTHALA.

R1 BY ADV. SRI.GEORGE POONTHOTTAM
R2 & 3 BY ADV. SRI.M.K.CHANDRAMOHAN DAS,SC,POLL.C.BOAR
R5 BY ADV. SRI.P.V.JAYACHANDRAN
BY SR.GOVERNMENT PLEADER SRI.SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :-

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|--------|---|---|
| EXT.P1 | : | COPY OF THE JUDGMENT DTD.12.3.2009 IN W.P.(C) No.5818/2009 OF THIS COURT. |
| EXT.P2 | : | COPY OF THE NOTICE DTD.12.5.2009 OF THE 6TH RESPONDENT. |
| EXT.P3 | : | COPY OF THE LETTER DTD.2.6.2009 OF THE 3RD RESPONDENT. |
| EXT.P4 | : | COPY OF THE REMCOMMENDATION DTD.13.8.2009 OF THE 3RD RESPONDENT. |
| EXT.P5 | : | COPY OF THE CONSENT LETTER DTD.16.9.2009 OF THE 3RD RESPONDENT. |
| EXT.P6 | : | COPY OF THE LETTER DTD.21.11.2009 FROM THE PETITIONER TO THE 2ND RESPONDENT. |
| EXT.P7 | : | COPY OF THE REPRESENTATION DTD.1.12.2009 OF THE PETITIONER SUBMITTED BEFORE THE 2ND RESPONDENT. |

RESPONDENTS' EXHIBITS :- NIL.

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C).No.7947 of 2010

Dated this the 10th day of June, 2015

JUDGMENT

This Writ Petition has been filed by the petitioner who is the Convenor of an Action Council formed against the Coir Dyeing and Bleaching unit proposed by the 1st respondent-Society. The petitioner has sought for a writ of mandamus commanding the 1st respondent to close down the aforesaid unit forthwith as it is functioning without any authority. The petitioner has also sought for a writ of certiorari to quash Ext.P5 consent granted by the Kerala State Pollution Control Board in favour of the 1st respondent.

2. Today when the case was taken up for final hearing the learned counsel for the petitioner on instructions submitted that the Coir Dyeing and Bleaching unit of the 1st respondent is no more functioning and that the validity of Ext.P5 consent granted by the Pollution Control Board has also expired. Therefore, the learned counsel would submit that this Writ Petition may be closed without prejudice to the right of the petitioner to approach this Court again in case the Coir Dyeing and Bleaching unit of the 1st respondent

resume its operation. Recording the aforesaid submission made by the learned counsel for the petitioner this Writ Petition is closed reserving the liberty of the petitioner as aforesaid.

ANIL K.NARENDRAN, JUDGE

skj

True copy

P.A to Judge