

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 4212 of 2015 (B)

PETITIONER :

**M/S.JOONKTOOLLEE TEA & INDUSTRIES LTD.
PLANTATION DIVISION - KERALA
CHEMONI & PUDUKAD ESTATES, PALAPPILLY P.O.,
THRISSUR-680 304
REPRESENTED BY ITS AUTHORISED SIGNATORY
K.M.VINEETHAKUMAR**

**BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURRYAN THOMAS**

RESPONDENTS :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
FOREST & WILD LIFE DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE CONSERVATOR OF FORESTS,
FOREST CONSERVATOR'S OFFICE,
VANAPRIYA FOREST COMPLEX, PARAVATTANI
THRISSUR-680 005.**
- 3. THE DIVISIONAL FOREST OFFICER,
CHALAKKUDY, THRISSUR-680 307.**

R1 TO R3 BY SPL. GOVT. PLEADER SRI.M.P.MADHAVANKUTTY, FOR FOREST

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 4212 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE ORDER DTD.3.12.2012, IN CP NO.131/2012 ON THE FILE OF THE COURT OF THE HIGH COURT OF CALCUTTA.**
- P2 : COPY OF THE LETTER DTD.23.2.2013, ISSUED BY THE PETITIONER TO THE 3RD RESPONDENT.**
- P3 : COPY OF THE COMMUNICATION DTD.11.3.2013, ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.**
- P4 : COPY OF THE REPRESENTATION DTD.26.12.2014, SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R.RAMACHANDRA MENON, J.

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W.P.(C) No.4212 of 2015

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Dated this the 10th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- “i) Issue a writ of mandamus, or any other appropriate order or direction, directing the 2nd respondent to change the name of the Lessee in the records of the Forest Department as M/s Joonktollee Tea and Industries Ltd in the place of M/s Cochin-Malabar Estates and Industries Ltd and also to accept lease rent and other dues from the petitioner.
- ii) Issue a writ of mandamus, or any other appropriate order or direction, directing the 2nd respondent to consider and pass orders on Exhibit-P4 representation at the earliest.
- iii) Pass such other order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

2. Heard the learned Counsel for the petitioner as well as the learned Government Pleader.

4. During the course of hearing, the learned counsel for the petitioner submits that, the grievance has already been projected by way of Ext.P4 before the second respondent

and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered and finalized within a reasonable time.

6. After hearing both the sides, this Court finds it not necessary to go into the merits of the case. The writ petition is disposed of, directing the second respondent to consider and pass appropriate orders on Ext.P4 in accordance with law, after affording an opportunity of hearing to the petitioner at the earliest, at any rate, within 'two months' 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 second respondent for further steps.

Sd/-

P.R.RAMACHANDRA MENON, JUDGE

vdv