

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 4503 of 2015 (K)

PETITIONER(S):

**KALLIATH TILES,
CHERUSSERY P.O., THAIKATTUSSERY, THRISSUR-680 322,
REPRESENTED BY THE MANAGING PARTNER,
K.V.GIREESHKUMAR.**

BY ADV. SRI.K.I.SAGEER

RESPONDENT(S):

- 1. GEOLOGIST,
DEPARTMENT OF MINING & GEOLOGY, DISTRICT OFFICE,
MINI CIVIL STATION, CHEMBUKKAV, THRISSUR-20.**
- 2. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT,
AGRICULTURE (NCA)DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 3. DISTRICT COLLECTOR,
THRISSUR DISTRICT, COLLECTORATE, THRISSUR - 680 001.**
- 4. VILLAGE OFFICER,
VILLAGE OFFICE, MARATHAKARA, THRISSUR - 680 001.**

BY GOVERNMENT PLEADER SSRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 4503 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: A TRUE COPY OF THE COMMUNICATION BO.B3-16225/12 DT.17-04-2012
ISSUED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT.**

**EXT.P2: A TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER BEFORE
THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

MsV/

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 4503 of 2015

Dated this the 12th day of February, 2015

JUDGMENT

The petitioner has approached this Court with the following prayer:

"i. Issue a writ of mandamus or any other appropriate writ, order or direction directing the 1st respondent to permit the petitioner to remove the earth from the properties made mentioned in Ext.P1 and issue P forms as per the Kerala Minor Mineral Concession Rules, 1967 expeditiously within the time limit fixed by this Hon'ble Court."

The learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by way of Ext.P2 request and that the petitioner will be satisfied, if a direction is given to the 1st respondent to have it considered and finalized within a reasonable time.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, this Court does not find it necessary to go into the merits of the case. The writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P2 in accordance with law, after giving

an opportunity of hearing to the petitioner, at the earliest, at any rate, within 'one month' 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 1st respondent for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**

kp/-