

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C) .No. 4622 of 2015 (C)

PETITIONER(S) :

1. M/S.PERFECT ALLOYS
NEW INDUSTRIAL DEVELOPMENT AREA, KANJIKKODU
PALAKKAD DISTRICT REPRESENTED BY ITS MANAGING PARTNER

2. RIYA MANOJ AGED 42 YEARS
W/O.P.J.A.MANOJ
NEW INDUSTRIAL DEVELOPMENT AREA KANJIKKODU
PALAKKAD DISTRICT, NOW RESIDING AT PANACHAYIL HOUSE
KUTTUR PO, THIRUVALLA, PATHANAMTHITTA

BY ADVS.SRI.P.HARIDAS
SMT.S.SIKKY

RESPONDENT(S) :

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF INDUSTRIES AND COMMERCE
GOVERNMENT SECRETARIAT THIRUVANANTHAPURAM 695 001.

2. DIRECTOR OF INDUSTRIES & COMMERCE
VIKAS BHAVAN, THIRUVANANTHAPURAM 695001

3. GENERAL MANAGER
DISTRICT INDUSTRIES CENTRE, PALAKKAD 678 001

4. M/S.KAVERI FERTILISERS
S.GOPALAKRISHNAN NAIR, SUNDARA NIVAS
E.KODUNGALLUR UC COLLEGE (PO), ALUVA
ERNAKULAM 683 101.

5. C.R.SHANMUGHAN, CHENNAMBILLY HOUSE
M/S.TRAVANCORE SPUN PIPES, BENANIPURAM (PO)
EDAYAR ERNAKULAM 683 502.

6. SAJITH T.M.
S/O.MARUTHAVEERAN, ARADHANA
M/S.SREE SAI KRISHNA INDUSTRIES, L.G.PALAYAM, NEITHALA
ERATTAKULAM PALAKKAD 678 182

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7. P.V. POULOSE,
PARAYIL HOUSE, M/S.PARAYIL RUBBER INDUSTRIES
MEKKAD ANGAMALY, ERNAKULAM - 683 573

8. BENNY JOSE
KANDARIKKAL HOUSE
M/S.K.B.INDUSTRIES SREEKRISHNAPURAM
PALAKKAD - 679 513

R1-R3 BY ADV. GOVERNMENT PLEADER MR. M. MUHAMMED SHAFI
R4 BY ADV. SRI.M.S.UNNIKRISHNAN
R4 BY ADV. SMT.JAYASREE MANOJ
R4 BY ADV. SRI.K.SUNIL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4622 of 2015 (C)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - TRUE COPY OF PROCEEDINGS OF THE 3RD RESPONDENT DATED 03-08-

EXT.P2 - TRUE COPY OF THE AGREEMENT DATED 06-09-2012

EXT.P3 - TRUE COPY OF THE CHELAN RECEIPT SHOWING REMITTANCE OF THE
EARNEST MONEY DEPOSIT AND OUTSTANDING BALANCE IN 207 OF
PURCHASE VALUE DATED 03-03-2012

EXT.P4 - TRUE COPY OF THE CHELAN RECEIPT SHOWING REMITTANCE OF THE
EARNEST MONEY DEPOSIT AND OUTSTANDING BALANCE IN 207 OF
PURCHASE VALUE DATED 02-07-2012

EXT.P5 - TRUE COPY OF THE RECEIPTS SHOWING REMITTANCE OF APPLICATION FEE
DATED 03-04-2013

EXT.P6 - TRUE COPY OF THE APPLICATION BEFORE SINGLE WINDOW CLEARANCE
BOARD DATED 29-7-2014

EXT.P7 - TRUE COPY OF THE CERTIFICATE/ACKNOWLEDGEMENT OF REGISTRATION
DATED 21-08-2014

EXT.P8 - TRUE COPY OF THE MINUTES DATED 19-12-2014

EXT.P9 - TRUE COPY OF THE COMMUNICATION TO THE PETITIONERS DATED 21-01-
2015

EXT.P10 - TRUE COPY OF THE NOTICE DATED 29-12-2014

EXT.P11 - TRUE COPY OF THE LETTER DATED 12-01-2015

EXT.P12 - TRUE COPY OF THE TRUE COPY OF THE ORDER OF 3RD RESPONDENT
DATED 28-1-2015

EXT.P13 - TRUE COPY OF THE APPEAL/REPRESENTATION DATED 03-02-2014

EXT.P14 - TRUE COPY OF THE REPRESENTATION SENT BY THE PETITIONERS TO
THE GOVERNMENT DATED 10-02-2015

ext.P15 TRUE COPY OF THE DOCUMENT /MAHAZAR DATED 11.02.2015

RESPONDENTS' EXHIBITS:

EXT.R3(a) TRUE COPY OF THE MAHAZAR DT. 11.02.2015

/TRUE COPY/

P.S. TO JUDGE.

P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.4622 OF 2015
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Dated this the 7th April, 2015

J U D G M E N T

The property allotted to the petitioners in the industrial development area has been ordered to be taken over, as per Ext.P12 order passed by the third respondent/General Manager, District Industries Centre. Being aggrieved of the same, the petitioners have already moved the first respondent/State by filing Ext.14. The prayer is to cause the same to be considered and disposed of within a reasonable time.

2. In the light of the limited extent of relief sought for, this Court does not find it necessary to go into the merits in the pleadings of writ petition or the contents of the affidavit filed by the respondents 2 and 3. The writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Ext. P14, after affording an opportunity of hearing to the petitioners and other interested parties if any, at the earliest, at any rate, within three months from the date of receipt of a

copy of this judgment.

Interim order passed by this Court will continue till such time. Petitioners shall produce a copy of the judgment along with a copy of the writ petition before the first respondent for further steps.

P.R.RAMACHANDRA MENON
JUDGE

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