

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 5400 of 2015 (Y)

PETITIONER :

**RAJAN, AGED 53 YEARS
S/O.GOPI, RAJAN'S HANICRAFTS, T.C.42/639-1
S.R.BHAVAN, KALLUMOODU, MUTTATHARA
VALLAKKADAVU POST,
THIRUVANANTHAPURAM-695 008.**

BY ADV. SMT.MEENA A.

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY
(FOREST & WILD LIFE), 1ST FLOOR, SOUTH BLOCK, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. DIVISIONAL FOREST OFFICER,
THIRUVANANTHAPURAM DIVISION, FOREST HEADQUARTERS
VAZHUTHACAUD, THIRUVANANTHAPURAM-695 014.**
- 3. FOREST RANGE OFFICER
FOREST RANGE OFFICE, PARUTHIPALLY
THIRUVANANTHAPURAM – 695 574.**

**R1 TO R3 BY SPL. GOVT. PLEADER (FOREST) SRI.M.P.MADHAVANKUTTY
BY GOVT. PLEADER SRI. K.C. VINCENT**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 5400 of 2015 (Y)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1: A TRUE COPY OF THE JUDGEMENT DATED 16.12.2014 OF THE
HON'BLE HIGH COURT OF KERALA IN CRL.R.P.NO.1792 OF 2014.**

**EXHIBIT-P2: A TRUE COPY OF THE APPLICATION DATED 16.12.2014 MADE IN
FORM III.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.5400 of 2015

Dated this the 26th day of February, 2015.

JUDGMENT

The petitioner has preferred Ext.P2 application before the second respondent under Rule 6 of the Kerala Forest (Restriction on cutting and selling of Sandal Trees and grant of licence for possession and transport of Sandalwood and Sandalwood Oil) Rules, 2012. Grievance is with regard to the delay involved in considering and finalizing the same.

2. The learned counsel for the petitioner submits that as per the relevant Rule, the application for licence has to be considered and disposed of within 30 days. It is stated that the petitioner is engaged in various handicraft works and is running an SSI Unit. Procurement of sandal wood, is stated as extremely necessary to pursue the business. It is also stated that the petitioner was successful in purchasing materials in auction conducted by the forest officials, however stating that there was a search and seizure on 4.8.2014, leading to the

proceedings by way of C.M.P.No.7347 of 2014 of the Judicial First Class Magistrate's Court, Nedumangad, which was the subject matter of Ext.P1 verdict passed by this Court on 16.12.2014 in CrI.R.P.No.1792 of 2014. The prayer is only to consider and finalise Ext.P2 within a reasonable time.

3. Heard the learned Government Pleader as well.

4. In the said circumstance, there will be a direction to the concerned respondent to consider and pass appropriate orders on Ext.P2 in accordance with law, which shall be finalized at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

This writ petition is disposed of. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.