

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No.6338 of 2015 (N)

PETITIONER:

**SUJATHA DEVI,AREEPURATHU VEETIL,
MAVELIKKARA,CHENNEERKARA.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT:

**THE SENIOR GEOLOGIST,
DISTRICT MINING AND GEOLOGY DEPARTMENT,
CHERTHALA-688521.**

BY SENIOR GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.6338 of 2015 (N)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1-COPY OF THE TAX RECEIPT OF THE PETITIONER.

**EXT.P2-COPY OF THE NO OBJECTION CERTIFICATE ISSUED FROM
CHENNERKARA PANCHAYATH.**

EXT.P3-COPY OF THE PLAN APPROVED BY THE PANCHAYATH.

EXT.P4-COPY OF THE APPLICATION BEFORE THE 1ST RESPONDENT.

**EXT.P5-COPY OF THE LETTER ISSUED BY THE ASST. ENGINEER TO THE
RESPONDENT.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No. 6338 of 2015

Dated this the 27th 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 writs, orders or directions, commanding the respondent to issue P form to the petitioner.

ii. Issue writ of mandamus or any other appropriate writs, orders or directions, commanding the respondent to consider and dispose of Ext.P4 within 1 week."

2. Heard the learned Government Pleader and the learned counsel for the petitioner.

3. In view of the Government Order bearing No.G.O. (P) No.93/2014 ID dated 30.06.2014, no quarrying permit is necessary for extracting ordinary earth if a valid building permit for construction of the residential building is obtained. However, Mineral Transport Permit in Form O(A) is necessary to transport the excavated earth as per the Kerala Minor

Mineral Concession Rules, 2015. In the said circumstance, the respondent/Geologist is directed to issue Form O(A) to the petitioner on being satisfied with the genuineness of the claim of the petitioner. The proceedings as above shall be finalized at the earliest, at any rate, within 'ten days' 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 respondent for further steps.

Sd/-
P.R. RAMACHANDRA MENON
JUDGE

Scl.