

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

WP(C).No. 7214 of 2015 (B)

PETITIONER(S) :

**P.V.RAJU, AGED 45 YEARS,
S/O.VAREETHU, PANIKULANGARA, AYIROOR.P.O,
PUTHENVELIKKARA VILLAGE, PARAVUR TALUK,
ERNAKULAM DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S) :

- 1. THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ERNAKULAM DISTRICT-682 030.**
- 2. THE DIRECTOR,
MINING AND GEOLOGY, OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695 001.**
- 3. THE STATE OF KERALA REPRESENTED BY JOINT SECRETARY TO
GOVERNMENT, INDUSTRIAL DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 4. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT-682 030.**

BY GOVERNMENT PLEADER SRI.K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF THE LAST LICENCE ISSUED BY THE SECRETARY, PIRAVOM GRAMA PANCHAYATH DATED 02-12-2009 TO THE PETITIONER.**
- P2: TRUE COPY OF THE LAST DEALERS LICENCE DATED 14-10-2009 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.**
- P3: TRUE PHOTOGRAPHS OF BALANCE BRICK CLAY STORED IN THE PREMISES OF PETITIONER.**
- P4: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT DATED 06-02-2015.**
- P5: TRUE COPY OF THE LICENCE DATED 28-05-2014 ISSUED BY THE SECRETARY, PIRAVOM GRAMA PANCHAYATH TO MR.BAVAKUNJU.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 7214 of 2015

Dated this the 11th day of March, 2015

J U D G M E N T

The petitioner intends to transport clay stored in the premises of the unit to another place/unit situated nearby 5 k.m. away from the present premises. It is stated that the petitioner has got all the requisite licences as borne by Exts.P1 & P2. Ext.P5 is the licence obtained by the person concerned, who is running an industrial unit, to which place the balance brick clay stored in the premises of the petitioner is intended to be transported. It is with this intent, that the petitioner has moved the 1st respondent by filing Ext.P4 application. Prayer is to cause the same to be considered and finalized within a reasonable time.

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to consider and pass appropriate orders on Ext.P4, after conducting spot inspection, to enable the petitioner to transport the materials without production of any NOC or the Environmental Clearance, which

shall be done, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of the 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.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn