

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C).No. 8012 of 2015 (B)

PETITIONER:

ABDULLA M.M., AGED 26 YEARS,
S/O.MUHAMMED, MADAMPALLY HOUSE,
KELLOOR, 4TH MILE, MANANTHAVADY,
WAYANAD DISTRICT.

BY ADV. SRI.S.M.PRASANTH

RESPONDENT:

THE THARIYODE GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY,
KAVUMANNAM P.O., WAYANAD DISTRICT, PIN - 673 122.

BY ADV. SRI.MATHEW KURIAKOSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE CONSENT TO OPERATE ISSUED BY THE POLLUTION CONTROL BOARD DATED 4.3.2015
- EXT.P2 : TRUE COPY OF THE SANITARY CERTIFICATE ISSUED BY THE HEALTH INSPECTOR, COMMUNITY HEALTH CENTRE, THARIYODE DATED 2.3.2015
- EXT.P3 : TRUE COPY OF THE NOTICE ISSUED BY THE THARIYODE GRAMA PANCHAYATH WITH ENGLISH TRANSLATION.
- EXT.P4 : TRUE COPY OF THE QUERIES SUBMITTED BY THE PETITIONER DATED 02.03.2015.
- EXT.P5 : TRUE COPY OF THE ANSWER SUBMITTED BY THE RESPONDENT DATED 21.03.2015.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R1(a) : TRUE COPY OF THE RESOLUTION NO. 31/15(1) PASSED BY THE RESPONDENT PANCHAYAT IN ITS MEETING HELD ON 20.02.2015.
- EXHIBIT R1(b) : TRUE COPY OF THE NOTICE DATED 25.02.2015 ISSUED TO MR. MUHAMMEDALI BY THE RESPONDENT TO STOP THE UNAUTHORIZED MEAT VENDING STALL.
- EXHIBIT R1(c) : TRUE COPY of the LETTER DATED 26.02.2015 ISSUED TO MR. MUHAMMEDALI BY THE RESPONDENT.
- EXHIBIT R1(d) : TRUE COPY OF THE NOTICE DATED 26.02.2015 ISSUED BY THE RESPONDENT TO MR. SIBY MATHEW.
- EXHIBIT R1(e) : TRUE COPY OF THE NOTICE DATED 13.04.2015 ISSUED BY THE RESPONDENT TO THE PETITIONER WITH COPY TO THE OWNER OF THE BUILDING.
- EXHIBIT R1(f) : TRUE COPY OF THE COMMUNICATION DATED 24.04.2015 ISSUED BY THE RESPONDENT TO THE S.I. OF POLICE, PADINJARATHARA POLICE STATION.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 8012 OF 2015

Dated this the 3rd day of September, 2015

JUDGMENT

There has not been a proper consideration of the application put in by the petitioner for licence to function a chicken stall. Ext.P3 notice only directs the petitioner to close the chicken stall conducted without a proper licence.

2. The petitioner is free to apply for licence to the respondent panchayat to start a chicken stall in the premises. Such application shall be considered as per the parameters in Kerala Panchaya Raj (Slaughter Houses and Meat Stalls) Rules, 1996.

3. Any application filed within two weeks from today shall be dealt with within one month therefrom. Needless to say that the petitioner shall be put on notice and heard in the exercise.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**