

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8109 of 2015 (K)

PETITIONER:

**MOITHUNNI, SON OF MAMMI,
KONDAPURATHU VALAPPIL, PATTAMBI,
PALAKKAD, REPRESENTED BY SIDDIQUE,
PARAKATTIL, PATTAMBI, PALAKKAD,
POWER OF ATTORNEY HOLDER**

**BY ADVS.SMT.K.P.SANTHI
R.JAYAKRISHNAN
SRI.RILGIN V.GEORGE
SMT.E.U.DHANYA**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 692 001.**
- 2. THE DISTRICT COLLECTOR,
PALAKKAD - 678 001.**

BY GOVERNMENT PLEADER SRI.M.MUHAMMED SHAFI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 8109 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- TRUE COPY OF THE BUILDING PERMIT NO.A3-KPBR-319/14 DATED 24.2.2015.
- P2- TRUE COPY OF THE CERTIFICATE DATED 24.2.2015 ISSUED BY THE
THIRUMITTACODE GRAMA PANCHAYAT.
- P3- TRUE COPY OF THE REQUEST DATED 26.2.2015 SUBMITTED TO THE
2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON J.

~~~~~

W.P.(C) No. 8109 of 2015

~~~~~

Dated, this the 20th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

(i) Issue a writ of mandamus or such other writ, direction or order to the 2nd respondent to permit the petitioner to remove sand from the property measuring 4.45 ares and 4.86 ares of land in survey Nos. 52/3B of Thirumittacode Village, Pattambi Taluk, Palakkad district under the Kerala Minor Mineral Concession Rules 1967.

(ii) Issue such other writ, direction or order as is deemed just and necessary in the facts features and circumstance of the case."

2. The learned counsel for the petitioner submits that the grievance of the petitioner has already been projected by way of Ext.P3, which is pending consideration before the second respondent and that the petitioner will be satisfied, if a direction is given to the said respondent to consider and pass appropriate orders thereon within a reasonable time.

3. Heard the learned Government Pleader as well.

4. After hearing both the sides and considering the limited extent of relief sought for, this Court does not find it necessary to go into the merits of the case. The Writ Petition is disposed of, directing the second respondent to consider and pass appropriate orders on Ext. P3, in accordance with law; at the earliest, at any rate, within one month from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment along with copy of the writ petition before the second respondent for further steps.

The Writ Petition is disposed of.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**

kmd