

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 8121 of 2015 (M)

PETITIONER(S):

- 1. JOJI THELAKKATT AGED 42 YEARS
S/O. (LATE)OUSEPH, THELAKKATTU HOUSE
KATHIKUDAM PO KALLUR, VADAKKUMURI VILLAGE
PIN-680 308 THRISSUR DISTRICT**
- 2. SUNITHA SUNILKUMAR
W/O.SUNILKUMAR, KUNJUVALAPPIL HOUSE
KATHIKUDAM P.O KALLUR, VADAKKUMURI VILLAGE
PIN-680 308 THRISSUR DISTRICT**

**BY ADVS.SRI.A.JAYASANKAR
SRI.C.V.MANUVILSAN
SRI.MANU GOVIND
SMT.INDULEKHA JOSEPH**

RESPONDENT(S):

- 1. M/S. NITTA GELATINE INDIA LTD.
27/472, SBT AVENUE, PANAMPILLY NAGAR
COCHIN-682036 REPRESENTED BY ITS MANAGING DIRECTOR.**
- 2. THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS SECRETARY
PATTOM P.O. THIRUVANANTHAPURAM -695 004.**
- 3. THE AIR APPELLATE AUTHORITY (TRIVANDRUM)
UNDER THE POLLUTION CONTROL BOARD
PATTOM P.O. THIRUVANANTHAPURAM -695 004.**
- 4. THE WATER APPELLATE AUTHORITY (TRIVANDRUM)
UNDER THE POLLUTION CONTROL BOARD
PATTOM P.O. THIRUVANANTHAPURAM -695 004.**

**R BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE
R BY SMT.LATHA KRISHNAN
R BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BO**

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 8121 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 - A TRUE PHOTOCOPY OF THE STATUTORY APPEAL NO.24/2012

EXT.P2 - A TRUE PHOTOCOPY OF THE STATUTORY APPEAL NO.25/2012

EXT.P3 - A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 07-05-2013

EXT.P4 - A TRUE PHOTOCOPY OF THE JUDGMENT DATED 11-6-2013 IN WPC NO.14582 OF 2013

EXT.P5 - A TRUE PHOTOCOPY OF THE ORDER DATED 20-06-2013 ISSUED BY THE 2ND RESPONDENT

EXT.P6 - A TRUE PHOTOCOPY OF THE APPEAL NO.07/2014 BEFORE THE 4TH RESPONDENT

RESPONDENT(S)' EXHIBITS - NIL

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PA TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P(C). No. 8121 of 2015

Dated this the 1st day of April, 2015

J U D G M E N T

The petitioners have approached this Court with the following prayers:

- "i. issue a writ in the nature of mandamus or any other appropriate writ direction or order commanding the 2nd respondent not to renew Exhibit P5 before finally disposing Exhibit P1, P2 and P6;*
- ii. issue a writ in the nature of mandamus or any other appropriate writ direction or order commanding the 3rd and 4th respondents to expeditiously dispose of Exhibit P1, P2 and P6 however, within a time frame to be stipulated by this Hon'ble Court.*
- iii. Issue such other writ direction or order this Honourable court deems fit and proper, in the facts and circumstances of the case."*

2. The learned counsel for the petitioners submits that, being aggrieved of the impugned orders passed by the concerned authorities of the Pollution Control Board, the petitioners have already moved the appellate authority by way of Ext.P1, which is pending consideration before the 3rd respondent and Exts.P2 & P6 are pending consideration before the 4th respondent. Prayer is to cause the same to be considered and disposed of, within a

reasonable time.

3. Heard the learned Government Pleader, standing counsel appearing for the 1st respondent and the standing counsel for the Pollution Control Board.

4. In view of the limited extent of relief sought for, this Court does not find it necessary to go in to the merits of the case. The writ petition is disposed of, directing the 3rd respondent to consider and pass appropriate orders on Ext.P1 similarly the 4th respondent to consider and pass appropriate orders on Exts.P2 & P6. It shall be done, after affording an opportunity of hearing to the petitioners and other interested parties, if any, including the 1st respondent, at the earliest, at any rate, within 'three months' from the date of receipt of a copy of the judgment.

The petitioners shall produce a copy of the judgment along with a copy of the writ petition before the concerned respondents for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.