

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WP(C).No. 9295 of 2015 (J)

PETITIONER(S):

K.U. THANKAPPAN, S/O.UNNI,
AGED 76 YEARS, KURPPASSERY VEETIL,
VADAKKEKARA VILLAGE, PATTANAM KARA,
PARAVOOR TALUK, ERNAKULAM DISTRICT.

BY ADVS.SRI.V.M.KRISHNAKUMAR,
SRI.S.SARAVANA BHAVAN.

RESPONDENT(S):

1. KERALA STATE POLLUTION CONTROL BOARD,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.
2. ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
ENVIRONMENTAL SURVEILLANCE CENTRE,
UDYOGAMANDAL. P.O., ERNAKULAM-683 501.
3. THE SECRETARY,
CHITTATTUKARA GRAMA PANCHAYATH OFFICE,
VADAKKEKARA. P.O., N. PARAVOOR,
ERNAKULAM DISTRICT, PIN-683 522.
4. THE DISTRICT MEDICAL OFFICER, ERNAKULAM.
5. THE MEDICAL OFFICER,
PRIMARY HEALTH CENTRE, CHITTATTUKARA,
N. PARUR, ERNAKULAM DISTRICT.
6. SANTHOSH, S/O.NARAYANAN, PUTHENVEETIL HOUSE,
VADAKKEKKARA VILLAGE, PATTANAM KARA,
PARAVOOR TALUK, PIN-683 522.

R1 & R2 BY ADV. SRI. M.AJAY, SC.

R3 BY ADVS. SRI.P.K.SAJEEV,
SRI.K.N.JOY.

R4 & R5 BY GOVT. PLEADER SMT.C.K. SHERIN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 09-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- TRUE COPY OF THE COMPLAINT DATED 05.09.2014 FILED BEFORE THE 1ST RESPONDENT.
- P2- TRUE COPY OF THE COMPLAINT DATED 05.09.2014 FILED BEFORE THE 1ST RESPONDENT.
- P3- TRUE COPY OF THE LETTER DATED 29.10.2014, ISSUED BY THE 2ND RESPONDENT TO THE 6TH RESPONDENT.
- P4- TRUE COPY OF THE RELEVANT PAGES OF THE INSPECTION FILE ISSUED TO THE PETITIONER ON 15.01.2015.
- P5- TRUE COPY OF THE REPLY OF THE 3RD RESPONDENT DATED 10.12.2014.
- P6- TRUE COPY OF THE REPORT OF THE 5TH RESPONDENT DATED 08.11.2014.

RESPONDENT'S EXHIBITS:-

- EXT.R3A COPY OF THE STOP MEMO NO.C2-3284 DATED 13/05/2015 TO THE 6TH RESPONDENT.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 9295 of 2015

Dated this the 9th day of October, 2015

J U D G M E N T

Petitioner approached this Court alleging that the sixth respondent is operating a furniture manufacturing unit without obtaining consent from the Pollution Control Board. It is submitted that the sixth respondent has not obtained any licence/permission from the local authority.

2. The counsel for the Panchayath also submits that they have issued stop memo produced as Ext.R3(a). In the light of the above, the sixth respondent is restrained from running the furniture manufacturing unit without obtaining consent from the Pollution Control Board and licence from the Panchayath. If the sixth respondent is conducting the unit, the third respondent shall take necessary action to stop the activities. However, it is made clear that the sixth respondent is entitled to operate the unit after obtaining

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consent from the Board and licence from the Panchayath.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

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