

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 9553 of 2015 (T)

PETITIONER(S):

**FINIX VARGHESE,
MANAGING PARTNER, OTTAPPALAM GRANITES PVT. LTD.,
MULANJUR P.O., PALAKKAD DISTRICT,
NOW RESIDING AT PUTHUVA HOUSE, OORAKKAD,
MALAYIDAMTHURUTH POST, ERNAKULAM DISTRICT.**

**BY ADVS.SRI.A.V.JAMES,
SRI.MATHEWS JOSEPH.**

RESPONDENTS:

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY, HOME AFFAIRS,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE DISTRICT COLLECTOR,
PALAKKAD DISTRICT, COLLECTORATE,
PALAKKAD, PIN - 678 001.**
- 3. THE REVENUE DIVISIONAL OFFICER,
PALAKKAD DISTRICT, COLLECTORATE,
PALAKKAD, PIN - 678 001.**
- 4. THE SUPERINTENDENT OF POLICE,
PALAKKAD DISTRICT, PALAKKAD, PIN - 678 014.**
- 5. THE RURAL SUPERINTENDENT OF POLICE,
ERNAKULAM DISTRICT, ERNAKULAM, PIN - 683 101.**
- 6. THE TAHSILDAR, PATTAMBI,
PATTAMBI POST, PALAKKAD DISTRICT, PIN - 679 303.**

BY GOVT.PLEADER SRI.JOSEPH GEORGE.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 9553 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1. THE TRUE COPY OF THE APPLICATION DATED 12.02.2014
SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.**

**EXHIBIT P2. THE TRUE COPY OF THE ANSWER UNDER THE RIGHT TO
INFORMATION ACT DATED 25.02.2015 GIVEN FROM THE OFFICE
OF THE 2ND RESPONDENT TO THE PETITIONER.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.9553 of 2015

Dated this the 31st day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i) Issue writ of mandamus or any other writ order or direction, directing the 2nd respondent to consider the Exhibit P1 application submitted by the petitioner.

ii) Issue writ of mandamus or any other writ order or direction, directing the 2nd respondent to issue No Objection Certificate for grant of explosive license to have a Mahazine and to use the explosive for own quarry operations in the Ottappalam Granites Pvt. Ltd. Palakkad to the petitioner as prayed in the Exhibit P1 application submitted by the petitioner.

iii) Grant such other reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, including costs."

The learned counsel for the petitioner submits that, the grievance of the petitioner has also been projected by way of Ext.P1 application and that the petitioner will be satisfied, if a direction is given to the 2nd respondent to have it considered and finalized within a reasonable time.

2. Heard the learned Government Pleader as well.

3. In view of the limited extent of relief sought for and proposed to be given, this Court does not find it necessary to deal with the merits of the case.

4. In the above circumstances, there will be a direction to the 2nd respondent to consider and pass appropriate orders on Ext.P1, after affording an opportunity of hearing to the petitioner and other interested parties, if any, at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of this judgment, along with a copy of the writ petition, before the concerned respondent/competent authority, for further steps.

The writ petition is disposed of.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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