

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

WP(C).No. 11592 of 2015 (Y)

PETITIONER(S):

**BASHEER M.P.,
PERUMBILLY HOUSE, THAVALAM,
MANNARKAD, PALAKKAD - 678 581.**

BY ADV. SMT.E.V.MOLY

RESPONDENT(S):

**KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE PALAKKAD, NEAR DISTRICT
PANCHAYATH OFFICE, PALAKKAD - 678 001,
REPRESENTED BY SENIOR ENVIRONMENTAL ENGINEER,
THE AUTHORIZED OFFICER.**

BY ADV. SRI. M.AJAY, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 11592 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: THE TRUE COPY OF THE ACKNOWLEDGMENT RECEIPT.

EXT.P2: THE TRUE COPY OF THE LETTER DTD.24.7.2014 ISSUED BY RESPONDENT.

**EXT.P3: THE TRUE COPY OF THE LETTER NO.6/2014 SIGNED ON 17.9.2014 ISSUED BY
VILLAGE OFFICER KALLAMALA.**

**EXT.P4: THE TRUE COPY OF THE LETTER DTD.19.9.2014 ISSUED BY OFFICE OF SUB
COLLECTOR OTTAPPALAM.**

**EXT.P5: THE TRUE COPY OF THE LETTER DTD.17.9.2014 ISSUED BY TALUK OFFICE
MANNARKAD.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 11592 of 2015

Dated this the 9th day of April, 2015

J U D G M E N T

The petitioner has approached this Court seeking for a direction to be given to the respondent to consider and pass appropriate orders in the application for consent to establish the unit, which has already been preferred before the respondent within a reasonable time.

2. Heard the learned standing counsel appearing for the respondent Pollution Control Board as well.

3. It is brought to the notice of the Court during the course of hearing that, the ESA Notification has not become final and that steps are going on before the Union Government. This being the position, there is no point keeping the proceedings in cold storage as on date. The receipt of the representation stands acknowledged by Ext.P1.

4. In the said circumstance, there will be a direction to the respondent to consider the concerned application forming the subject matter of Exts.P1 & P2 and pass appropriate orders in accordance with law, at the earliest, at any rate, within 'one

month' from the date of receipt of a copy of this judgment. It is made clear that, this will be subject to the contents and applicability of the notification, if at all issued, to the extent the same is applicable.

The writ petition stands disposed of. The petitioner shall produce a copy of this judgment along with a copy of the writ petition before the concerned respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.

Pn