

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

WP(C).No. 11750 of 2015 (P)  
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PETITIONER:  
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C.K.SULAIMAN, AGED 63 YEARS,  
S/O.KOCHAHAMMED, NOORI INDUSTRIES, ORNNA,  
ALLAPARA P.O., PERUMBAVOOR, ERNAKULAM.

BY ADVS.SRI.PRAVEEN K. JOY  
SRI.T.A.JOY

RESPONDENTS:  
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1. THE SECRETARY, VENGOLA GRAMA PANCHAYATH,  
VENGOLA, ERNAKULAM DISTRICT - 682 050.
2. KERALA STATE POLLUTION CONTROL BOARD,  
ERNAKULAM, REP BY ITS ENVIRONMENTAL ENGINEER - 682 041.
3. THE ASSISTANT DIVISIONAL OFFICER,  
FIRE AND RESCUE SERVICES, ERNAKULAM - 682 041.
4. DISTRICT MEDICAL OFFICER,  
ERNAKULAM - 682 041.
5. CHIEF CONSERVATOR OF FORESTS,  
FOREST DEPARTMENT, TRIVANDRUM - 695 001.
6. THE DIVISIONAL FOREST OFFICER,  
MALAYATOOR DIVISION, ERNAKULAM - 682 041.

R BY SRI. JUSTIN JACOB, GOVERNMENT PLEADER  
R BY SRI.M.P.MADHAVANKUTTY, SPL. GOVT. PLEADER FOR FORE  
R BY SRI.C.A.NAVAS  
R BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BO

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**APPENDIX**

PETITIONERS' EXHIBITS :  
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EXT.P1: THE TRUE COPY OF THE CONSENT TO ESTABLISH DATED 6/8/08 OF THE 2ND RESPONDENT.

P2: THE TRUE COPY OF THE CONSENT TO OPERATE DATED 8/7/2011 OF THE 2ND RESPONDENT.

P3: THE TRUE COPY OF THE CONSENT TO OPERATE RENEWAL DATED 18/12/2013 OF THE 2ND RESPONDENT.

P4: THE TRUE COPY OF THE FEE OF DD FOR RS.8040 IN FAVOUR OF 2ND RESPONDENT.

P5: THE TRUE COPY OF THE RELEVANT EXTRACT OF APPLICATION DATED 10/10/14 SUBMITTED TO THE 2ND RESPONDENT.

P6: THE TRUE COPY OF THE NOC DATED 6/3/14 OF THE 3RD RESPONDENT.

P7: THE TRUE COPY OF THE APPROVAL FOR D AND O TRADE BY THE 4TH RESPONDENT.

P8: THE TRUE COPY OF THE CERTIFICATE DATED 26/9/11 OF THE KERALA STATE ELECTRICITY BOARD, VENGOLA.

P9: THE TRUE COPY OF THE ACKNOWLEDGMENT DATED 9/6/14.

P10: THE TRUE COPY OF THE NOC DATED 17/8/11 ISSUED BY 5TH RESPONDENT.

P11: THE TRUE COPY OF THE LICENCE OF THE 5TH RESPONDENT DATED 22/3/14.

P12: THE TRUE COPY OF THE DD DATED 24/3/14 FOR RS.2 LAKH.

P13: THE TRUE COPY OF THE APPLICATION DATED 30/9/14 BEFORE THE 5TH RESPONDENT.

P14: THE TRUE COPY OF THE LICENSE FEE RECEIPT DATED 11/5/12 OF THE 1ST RESPONDENT.

P15: THE TRUE COPY OF THE LICENSE RECEIPT DATED 28/3/14 OF THE 1ST RESPONDENT.

P16: THE TRUE COPY OF THE LICENSE FEE RECEIPT DATED 28/3/15 OF THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS:NIL  
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/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

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W.P. (C) No.11750 of 2015 (P)  
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Dated this the 8<sup>th</sup> day of April, 2015.

### JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner, who has a plywood manufacturing unit, has initially obtained 'No Objection Certificate' on 17.08.2011 as is evident from Ext.P10. Later, it was renewed through Ext.P11. Now, for the year 2015 and 2016, the petitioner submitted Ext.P13 application for renewal to the 5<sup>th</sup> respondent. Ventilating his grievance that though the application was submitted more than six months ago, the 5<sup>th</sup> respondent has so far not considered the application, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner has submitted that the petitioner has also remitted an amount of ₹2,00,000/-, which is required for obtaining NOC from the 5<sup>th</sup>

respondent. According to him, no further permits or licences from other departments could be obtained, unless the 5<sup>th</sup> respondent issues the NOC, as has been sought through Ext.P13.

4. The learned Government Pleader has submitted that the 5<sup>th</sup> respondent will consider the petitioner's Ext.P13 application expeditiously.

In the facts and circumstances, having regard to the respective submissions of the learned Counsel for the petitioner and the learned Government Pleader, this Court, without expressing any opinion on the merits of the matter, disposes of the writ petition with a direction to the 5<sup>th</sup> respondent to consider the petitioner's Ext.P13 application in accordance with law and pass appropriate orders thereon, as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

