

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

WEDNESDAY, THE 8TH DAY OF JULY 2015/17TH ASHADHA, 1937

WP(C).No. 12093 of 2014 (J)

PETITIONER(S):

- 1. M.N.VIJAYAN, AGED 45 YEARS,
S/O. SRI.THANKAPPAN, RESIDING AT MUNDAKKAKUDI
MARAMPILLY P.O., NORTH EZHIPRAM, ALUVA-683 105.**
- 2. SRI. DINESH M.K. AGED 35 YEARS
S/O. SRI.KUMARAN, MUNDAKKAKUDI, MARAMPILLY P.O.
NORTH EZHIPRAM, ALUVA-683 105.**

**BY ADVS.SRI.ANIL S.RAJ
SMT.K.N.RAJANI
SRI.RADHIKA RAJASEKHARAN P.
SMT.ANILA PETER
SRI.J.VIVEK GEORGE
SMT.C.PRABITHA**

RESPONDENT(S):

- 1. VAZHAKULAM GRAMA PANCHAYATH
REPRESENTED BY ITS SECRETARY, VAZHAKULAM
ERNAKULAM-683 107.**
- 2. KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE, (ERNAKULAM-II), PERUMBAVOOR
1ST FLOOR, MANNA RESIDENCY, M.C.ROAD
PERUMBAVOOR, PIN-683 542
REPRESENTED BY ITS ENVIRONMENTAL ENGINEER.**
- 3. DISTRICT MEDICAL OFFICER OF HEALTH
DISTRICT MEDICAL OFFICE OF HEALTH, ERNAKULAM
PARK AVENUE, MARINE DRIVE, KOCHI-682 011.**
- 4. SRI. MUHAMMED N.P.
S/O. SRI.PAREED, NATHEKATTU HOUSE, NORTH EZHIPURAM
MARAMPILLY P.O., PIN-683 015.**

**R4 BY ADV. SRI.I.DINESH MENON
R1 BY ADV. DR.K.P.SATHEESAN (SR.)
R1 BY ADV. SRI.M.R.JAYAPRASAD
R1 BY ADV. SRI.P.MOHANDAS (ERNAKULAM)
R1 BY ADV. SRI.ANOOP.V.NAIR
R1 BY ADV. SRI.S.VIBHEESHANAN
BY GOVERNMENT PLEADER SRI. NOUSHAD THOTTATHIL
R2 BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BOARD
THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 12093 of 2014 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1 : COPY OF INFORMATION NUMBERED AS PCB/EKM.DO2/RTI/GEN-9/2011
OBTAINED BY THE 1ST PETITIONER FROM THE 2ND RESPONDENT DTD.21.11.2013.

EXT.P2 : COPY OF COVERING LETTER NUMBERED AS PCB/EKM.DO2/RTI/GEN-9/2011
AND INFORMATION OBTAINED BY THE 1ST PETITIONER FROM THE 2ND
RESPONDENT DTD.21.11.2013.

EXT.P3 : COPY OF INFORMATION NUMBERED AS NO.21/2013 OBTAINED BY A
NEIGHBOUR OF THE PETITIONERS FROM THE VILLAGE OFFICER, VAZHAKULAM,
DTD.29.10.2013.

EXT.P4 : COPY OF REPORT SUBMITTED BY THE VILLAGE OFFICER, VAZHAKULAM TO
THE TAHSILDAR, KUNNATHUNADU, DTD.9.10.2013.

P5 : COPY OF REPORT SUBMITTED BY THE MEDICAL OFFICER, PRIMARY HEALTH
CENTRE, VAZHAKULAM TO THE MEDICAL OFFICER, MALAYIDAMTHURUTHU,
DTD.20.5.2013.

EXT.P6 : COPY OF REPRESENTATION SUBMITTED TO THE 1ST RESPONDENT
DTD.28.4.2014.

RESPONDENTS EXHIBITS: NIL

/TRUE COPY/

P.A. TO JUDGE

SKV

P.V.ASHA, J.

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W.P.(C). No.12093 OF 2014

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Dated this the 8th day of July, 2015

JUDGMENT

When the writ petition came up for hearing the learned counsel for the petitioners submitted that she had already invoked a statutory remedy against the license issued in the matter of Sand Manufacturing Unit.

Under the above circumstance, this writ petition is closed leaving open the contentions raised by the petitioners with liberty to move as and when necessary.

Sd/-
P.V.ASHA, JUDGE

SKV