

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 14613 of 2013 (B)

PETITIONER:

**JOY K.V, S/O.ULAHANNAN, AGED 33 YEARS,
RESIDING AT KURICHIPARAMBIL HOUSE,
ULAVAYPU.P.O, CHERTHALA, PIN-683526.**

BY ADV. SRI.M.HARISHARMA

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. PANAVALLY GRAMA PANCHAYATH,
PANAVALLY.P.O, ALAPPUZHA DISTRICT, PIN-688566,
REPRESENTED BY ITS SECRETARY.**
- 3. KERALA STATE POLLUTION CONTROL BOARD,
THONDANKULANGARA, THATHAMPALLYL.P.O,
ALAPPUZHA DISTRICT, PIN-688013,
REPRESENTED BY ENVIRONMENTAL ENGINEER.**
- 4. KUNJUMON, AGED AND FATHER'S NAME NOT KNOWN
TO THE PETITIONER, KUTHUKADU VEEDU,
ULAVAYPU.P.O, CHERTHALA, PIN-683526.**

**R1 BY GOVERNMENT PLEADER SRI.NOUSHAD THOTTATHIL
R3 BY SRI. M.AJAY, SC
R4 BY ADV. SRI.SAJI VARGHESE KAKKATTUMATTATHIL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT-P1: A TRUE COPY OF THE REPRESENTATION DATED 30.3.2010
SUBMITTED BY THE BROTHER OF THE PETITIONER BEFORE THE
SECOND RESPONDENT .**
- EXHIBIT-P2: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER BEFORE THE DISTRICT COLLECTOR, ALAPPUZHA
DATED 23.12.2010.**
- EXHIBIT-P3: A TRUE COPY OF THE NOTICE DATED 26.5.2011 ISSUED BY THE
SECOND RESPONDENT TO THE FOURTH RESPONDENT.**
- EXHIBIT-P4: A TRUE COPY OF THE REPRESENTATION DATED 10.11.2011
SUBMITTED BEFORE THE DISTRICT COLLECTOR.**
- EXHIBIT-P5: A TRUE COPY OF THE REPRESENTATION DATED 3.12.2011
SUBMITTED BEFORE SECRETARY.**
- EXHIBIT-P6: A TRUE COPY OF THE REPRESENTATION DATED 3.12.2011
SUBMITTED BEFORE SECRETARY.**
- EXHIBIT-P7: A TRUE COPY OF THE COMPLAINT DATED 22.3.2012 SUBMITTED BY
PETITIONER AND OTHERS BEFORE THE SUB INSPECTOR OF
POLICE.**
- EXHIBIT-P8: A TRUE COPY OF THE STOP MEMO DATED 9.2.2012 ISSUED BY THE
THIRD RESPONDENT TO FOURTH RESPONDENT.**

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.V.RAMAKRISHNA PILLAI, J.

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W.P(C) No.14613 of 2013

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Dated this the 23rd day of March, 2015

JUDGMENT

Aggrieved by the functioning of the workshop run by the 4th respondent even though he had made Exts.P3 and P8 complaints before respondents 2 and 3, the petitioner has come up before this Court with this writ petition.

2. The petitioner submitted Exts.P1, P2, P4, P5, P6 and P7 complaints before respondents 2 and 3 intimating about the functioning of a workshop by the 4th respondent without obtaining any licence and also violating all statutory mandates. He further alleges that the functioning of the workshop is causing heavy noise pollution and is emitting toxic effluence. The grievance of the petitioner is that though Exts.P3 and P8 orders have been issued by respondents 2 and 3, the 4th respondent is still running the workshop.

3. Today when the matter came up for hearing, the learned counsel for the 4th respondent submitted that the application of the 4th respondent is pending consideration before the 3rd respondent, the Pollution Control Board and without any clearance from the 3rd respondent, he will not run the workshop.

Recording the said submission, the writ petition is closed.

Sd/-

A.V.RAMAKRISHNA PILLAI
JUDGE

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