

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No.12158 of 2015 (T)

PETITIONER:

**VARGHESE,AGED 49 YEARS,S/O.ANTONY,
KALLARAKAL HOUSE,PEECHI POST,
MANAKKAMPADAM,TRISSUR DISTRICT.**

BY ADV.SRI.VINOD VALLIKAPPAN

RESPONDENT'S:

- 1. THE GEOLOGIST,DISTRICT OFFICE OF THE DEPARTMENT OF
MINING AND GEOLOGY,TRISSUR DISTRICT-680020.**
- 2. THE SECRETARY,PANANCHERY GRAMA PANCHAYATH,
PATTIKAD POST,TRISSUR DISTRICT-680652.**

R1 BY GOVT. PLEADER SRI.K.C.VINCENT.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

W.P(C) NO.12158/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:THE TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT FOR CONSTRUCTION OF A RESIDENTIAL BUILDING.

EXT.P2:THE TRUE COPY OF THE SANCTION FOR REMOVAL OF EARTH GRANTED BY THE 1ST RESPONDENT TO THE PETITIONER VIDE ORDER NA/306/14-15/2939/06/C2/TDO/14 DATED 30.1.2015.

EXT.P3:THE TRUE COPY OF ORDER OF EXTENSION OF TIME GRANTED BY THE 1ST RESPONDENT.

EXT.P4:THE TRUE COPY OF REQUEST SUBMITTED TO THE 1ST RESPONDENT FOR FURTHER EXTENSION OF TIME OF EXHIBIT P3.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 12158 of 2015

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Dated, this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

- "1. To issue a writ of mandamus or any other writ order or direction to the 1st respondent directing him to accept Exhibit P4 application for extension of time mandated by Exhibit P3 and allow the request if the same suffers no illegality.*
- 2. To issue such other directions as this Honourable Court may deem fit to grant on the facts and circumstances of the case."*

The learned counsel for the petitioner submits that Ext.P4 request for extension of time is not being accepted by the Geologist and that the prayer is only to cause the same to be acted upon by granting time.

2. Heard the learned Government Pleader as well.
3. After hearing both the sides, the writ petition is disposed of, directing the 1st respondent to accept, consider and pass appropriate orders on Ext.P4 in accordance with law, after giving an opportunity of hearing to the petitioner at the earliest,

at any rate, within 'one month' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON JUDGE

Pn