

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. 12185 of 2015 (W)

PETITIONER(S):

**M/S.SOUTHERN GRANITE INDUSTRIES,
MOOKKUNNIMALA, EDACODE, NEMOM P.O,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
MANAGING PARTNER K.J.THOMASKUTTY.**

**BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL**

RESPONDENT(S) :

- 1. KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, PATTOM P.O,
THIRUVANANTHAPURAM- 695 004,
REPRESENTED BY THE ENVIRONMENTAL ENGINEER,**
- 2. ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, PATTOM P.O,
THIRUVANANTHAPURAM- 695 004.**

BY ADV. SRI. M.AJAY, S.C,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, ALONG WITH W.P.(C).NO.12258 OF 2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE CONSENT DATED 30.04.2014 ISSUED BY
 THE 1ST RESPONDENT VALID TILL 31.01.2015.**
- EXT.P2: TRUE COPY OF THE APPLICATION DATED 07.04.2014 SUBMITTED
 BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**
- EXT.P2(A): TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.R. RAMACHANDRA MENON, J.

W.P(C). Nos. 12185 & 12258 of 2015

Dated this the 10th day of April, 2015

J U D G M E N T

The issue involved in both these cases is similar. Hence they are dealt with together. The prayers raised in WP(C) No.12185/2015 are in the following terms.

- “i. Issue a writ of mandamus or other appropriate writ order or direction, directing the 2nd Respondent to grant renewal of Ext.P1 consent to the petitioner as applied vide Ext.P2.*
- ii. Issue a writ of mandamus or other appropriate writ order or direction, directing the 2nd respondent to dispose off Ext.P2 application for the renewal of Ext.P1 consent submitted by the petitioner as expeditiously as possible, at any rate within 2 weeks.*
- iii. Issue such other appropriate writ order or direction that may be deemed to be just and equitable in the facts and circumstances of the case.”*

2. The learned standing counsel appearing for the respondents submits that, it is only by virtue of the interception made by the National Green Tribunal by passing an order that, the respondents were not in a position to consider the application preferred by the petitioners.

3. This Court does not intend to express anything with

regard to the merit of the cases. The 2nd respondent is directed to consider and pass appropriate orders in the applications preferred by the petitioners (Ext.P2 in WP(C) No.12185/2015 and Exts.P2 & P3 in WP(C) No.12258/2015), in accordance with law, also taking note of the contents of the order stated as passed by the National Green Tribunal, after affording an opportunity of hearing to the petitioners within 'one month' from the date of receipt of a copy of this judgment.

The petitioners shall produce a copy of the judgment along with a copy of the writ petitions before the 2nd respondent for further steps.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE.