

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

WP(C).No. 12519 of 2014 (L)

PETITIONER(S) :

ALICE AGED 54 YEARS
W/O.VARGHESE, MAPRANATHUKARAN HOUSE, KALLUR.P.O.
THRISSUR.

BY ADVS.SRI.RENJITH THAMPAN (SR.)
SMT.P.R.REENA

RESPONDENT(S) :

1. THRIKKUR GRAMA PANCHAYATH
THRIKKUR, THRISSUR DISTRICT
PIN-680 732. REPRESENTED BY ITS SECRETARY.
2. KERALA STATE POLLUTION CONTROL BOARD
REP. BY ENVIRONMENTAL ENGINEER, DISTRICT OFFICE
6TH FLOOR, SUN TOWER, EAST FORT.P.O.
THRISSUR. PIN-680 005.
3. ROSILY
W/O.FRANCIS, KAVIL HOUSE, KALLOOR
THRIKKUR.P.O., THRISSUR. PIN-680 732.

R1 BY ADV. SRI.P.SANTHOSH (PODUVAL)
R1 BY ADV. SMT.R.RAJITHA
R1 BY ADV. SRI.K.D.SREEVISAKH
R3 BY ADV. SRI.P.G.SURESH
R3 BY ADV. SRI.G.SUDHEER (THURAVOOR)
R3 BY ADV. SRI.V.HARISH
BY GOVERNMENT PLEADER SRI.G.GOPAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

DAMA SESHADRI NAIDU, J.

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W.P(C) No.12519 of 2014

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Dated this the 06th day of January, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, as well as the learned counsel for the respondents, 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 grievance of the petitioner is that the 3rd respondent has been carrying on the business of manufacturing edible chips on a large scale, thereby causing pollution in the vicinity. The petitioner, who is said to have a mentally retarded child, has been facing trouble in the light of pollution being caused by the 3rd respondent's unit. Ventilating her grievance that despite her application the 1st respondent Panchayath has not initiated any action, the petitioner has filed the present writ petition.

3. The learned Standing Counsel for the 1st respondent Gramapanchayath has submitted that, duly acting on the

representation submitted by the petitioner, the Panchayath has already issued a stop memo.

4. The learned counsel for the 3rd respondent on his part has submitted that in compliance with the stop memo issued by the 1st respondent Gramapanchayath she has already stopped the manufacturing of chips. In fact, having been aggrieved by stop memo, the 3rd respondent has also filed a statutory appeal. The learned counsel has further stated that until the statutory appeal is disposed of, the 3rd respondent is not going to resume the chips manufacturing in violation of stop memo.

Recording the above submission, this Court closes the writ petition by observing that the 3rd respondent shall not resume the edible chips manufacturing until the statutory appeal said to have been filed by the 3rd respondent is disposed of by the appellate authority concerned.

Sd/-

DAMA SESHADRI NAIDU, JUDGE