

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14305 of 2015 (K)

PETITIONER(S) :-

FR.JAMES PONGANAYIL, AGED 43 YEARS
S/O.MATHEW, VICAR, ST.THOMAS OLD CHURCH
PUNNATHURA EAST.P.O., KIDANGOOR VILLAGE
MEENACHIL TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S) :-

1. THE SENIOR GEOLOGIST
DEPARTMENT OF MINING AND GEOLOGY
KOTTAYAM DISTRICT-686 609.
2. THE DIRECTOR
MINING AND GEOLOGY, OFFICE OF THE MINING AND GEOLOGY
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695 001.
3. THE STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

BY GOVERNMENT PLEADER SRI.MOHAMED SHAFI M.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 14305 of 2015 (K)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

P1- TRUE COPY OF THE MINING PERMIT DATED 13.10.2014 ISSUED BY THE
FIRST RESPONDENT TO THE PETITIONER.

P2- TRUE COPY OF THE APPLICATION DATED 28.01.2015 SUBMITTED BY
THE PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14305 of 2015

Dated this the 12th day of May 2015

J U D G M E N T

The petitioner approached this Court aggrieved by non-consideration of the application submitted by him for renewal of mining permit. The petitioner submits that the Geologist insisted for production of environmental clearance and mining plan. The petitioner relies on Rule 12 of the Kerala Minor Mineral Concession Rules, 2015. The petitioner submits that in view of the fact that he is a holder of valid permit, which expired, he need not produce environmental clearance or mining plan.

2. Therefore, there shall be a direction to the first respondent, after adverting to the above Rule, to consider the application submitted by the petitioner and dispose the same within a period of two weeks from the date of receipt of a copy of this judgment. It is made clear that fresh NOC is not necessary from the District Collector for this purpose.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE