

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. 14369 of 2015 (U)

PETITIONER :-

BABU ABRAHAM, AGED 47 YEARS
S/O PHILIP ABRAHAM, ANCHANIKKAL, VAZHOOR EAST.P.O
VAZHOOR VILLAGE, CHENGANASSERY TALUK
KOTTAYAM DISTRICT.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS :-

1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY
KOTTAYAM DISTRICT-678701.
2. THE DIRECTOR,
MINING AND GEOLOGY, OFFICE OF MINING AND GEOLOGY
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695001.
3. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.

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. 14369 of 2015 (U)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1 TRUE COPY OF THE BUILDING PERMIT 2.4.2008 ISSUED BY THE
SECRETARY, VAZHOOR GRAMA PANCHAYATH.

EXT.P2 TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER
BEFORE THE FIRST RESPONDENT DATED 1.5.2015.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14369 of 2015

Dated this the 12th day of May 2015

J U D G M E N T

The petitioner is the holder of a residential building permit. He wants to extract ordinary earth from the site covered by the building permit.

2. In view of Government Order, G.O.(P).No.93/2014/ID, dated 30/06/2014, no quarrying permit is necessary for extracting ordinary earth. However, for transporting ordinary earth, 'O(A)' form is necessary. Accordingly, there shall be a direction to the first respondent to issue 'O(A)' form on being satisfied with the genuineness of the claim of the petitioner based on Ext.P1 building permit without insisting for No-objection Certificate within a period of ten days. The first respondent need to issue 'O(A)' form to the petitioner only if the petitioner produces the building plan and on being satisfied that the produced plan is for a residential building.

The writ petition is disposed of as above. No costs.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE