

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

WP(C).No. 14740 of 2015 (N)

PETITIONER :

**B.M. HAMZA,
BLAYIL PARAMBIL HOUSE, EDAPPALLY,
COCHIN-682 024**

BY ADV. SRI.M.C.JOHN

RESPONDENT(S):

- 1. THE ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF
FORESTS (S.A) & NODAL OFFICER, FOREST HEAD QUARTERS,
VAZHUTHACAUD, THIRUVANANTHAPURAM-695 001**
- 2. THE DIVISIONAL FOREST OFFICER,
MALAYATTOOR DIVISION, KODANAD,
ERNAKULAM DISTRICT- 683 544**

**BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
BY SPL. GOVT. PLEADER (FOREST) SRI.M.P.MADHAVANKUTTY**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 14740 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE CERTIFICATE NO.55/2015 DATED 24-01-2015
ISSUED BY THE ADDITIONAL INSPECTOR OF
FACTORIES, ERNAKULAM.

EXHIBIT P2 TRUE COPY OF D & O LICENCE NO .94/90 DATED 04-12-1990 ISSUED
BY THE KALAMASSERY MUNICIPALITY.

EXHIBIT P2(A) TRUE COPY OF LICENCE NO.18/98-99 DATED 28-10-1998 ISSUED BY
THE KALAMASSERY MUNICIPALITY.

EXHIBIT P2(B) TRUE COPY OF RECEIPT NO.46950 DATED 18-02-2011 ISSUED BY THE
KALAMASSERY MUNICIPALITY

EXHIBIT P3 TRUE COPY OF THE APPLICATION DATED 10/09/2014 FOR LICENCE
SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT

EXHIBIT P4 TRUE COPY OF RELEVANT PAGE WITH ACKNOWLEDGEMENT DATED
22-09-2014 ISSUED BY THE 2ND RESPONDENT

EXHIBIT P5 TRUE COPY OF LETTER NO.FC-4-48855/14 DATED 20-11-2014 FROM
THE 1ST RESPONDENT

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

K. VINOD CHANDRAN, J

W.P(C) No.14740 of 2015

Dated this the 26th day of May, 2015

J U D G M E N T

The petitioner has filed a statutory application for licence for saw mill under Ext.P3. The petitioner is said to have obtained a licence from the Local Self Government Institution and is said to be carrying on operation of the saw mill on the basis of the licence obtained at Ext.P2 which is being renewed every financial year. Ext.P3 is pending from 10.09.2014 before the 1st respondent. The learned Government Pleader on instruction, submits that the 2nd respondent has to conduct an inspection and has to consider the application in accordance with law. In such circumstance, the 2nd respondent being the authorised officer, competent to issue the licence shall conduct an inspection and pass orders on Ext.P3 in accordance with law, at any rate, within three

months from the date of receipt of copy of this judgment. It is made clear that this Court has not made any observation on merits on the question of issue of the licence, which will have to be considered by the authorised officer.

Writ petition is disposed of.

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge