

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 14890 of 2015 (I)

PETITIONER :

**AABITHA P.P., AGED 35 YEARS
W/O. SALEEM, PADIYIL PUTHALATH, BISMILLA
KEEZHALLUR P.O., MATTANNUR, THALASSERY
KANNUR DISTRICT.**

**BY ADVS.SRI.C.P.PEETHAMBARAN
SMT.MINI.V.A.**

RESPONDENTS :

- 1. MATTANNUR MUNICIPALITY
REPRESENTED BY THE SECRETARY, MATTANNUR, THALASSERY
KANNUR DISTRICT-670702.**
- 2. THE LOCAL LEVEL MONITORING COMMITTEE
MATTANNUR, THALASSERY, KANNUR DISTRICT
REPRESENTED BY ITS CONVENOR/AGRICULTURAL OFFICER
KRISHI BHAVAN, MATTANNUR-670702.**
- 3. STATE OF KERALA
REPRESENTED BY PRINCIPAL SECRETARY
AGRICULTURE (NCA) DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.**

**R1 BY ADVS. SRI.V.M.SYAM KUMAR
SMT.KRIPA ELIZABETH MATHEWS
SMT.P.FROSY
SMT.DIVYA C.MOHAN**

R2 & R3 BY GOVT. PLEADER SRI. GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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...2/-

WP(C).No. 14890 of 2015 (I)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1- TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE VILLAGE OFFICER, KOLARI.
- EXHIBIT P2- TRUE PHOTOGRAPHS OF PETITIONER'S PROPERTY.
- EXHIBIT P3- TRUE COPY OF THE LICENSE ISSUED BY DISTRICT INDUSTRIAL CENTRE, KANNUR.
- EXHIBIT P4- TRUE COPY OF THE LICENSE ISSUED FROM KERALA STATE POLLUTION CONTROL BOARD.
- EXHIBIT P5- TRUE COPY OF THE RELEVANT PORTION OF THE PLAN SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT P6- TRUE COPY OF THE NOTICE DATED 28-4-2014 ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT P7- TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT.
- EXHIBIT P8- TRUE COPY OF THE REPORT DATED 2-3-2015 OF THE 2ND RESPONDENT.
- EXHIBIT P9- TRUE COPY OF THE ORDER DATED 24-3-2015 OF THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

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A.Muhamed Mustaque, J.

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W.P.(C)No.14890 of 2015

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Dated this the 15th day of December, 2015.

JUDGMENT

1. Petitioner's application for approved plan and permit to put up a service station was declined by the 1st respondent as per Ext.P6, stating that there is no provision as such to correct the entry in data bank.
2. This court is of the view that the Local Level Monitoring Committee has sufficient power under Rule 4(2)(b) to correct the entry in data bank.

In that view of the matter, this writ petition is disposed of, by setting aside Exts.P6 and P9 and directing the Local Level Monitoring committee, the 2nd respondent herein, to take a decision in the matter, after adverting to Ext.P8, within a period of one month from the date of receipt of a copy of this judgment.

Muhamed Mustaque, Judge.

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