

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

WP(C).No. 15277 of 2015 (H)

PETITIONER(S) :

**KOCHU MUHAMMED, AGED 64 YEARS,
S/O.KOCHUNNI, MANAGER, M/S.M.K.TIMBER INDUSTRIES, ORNA,
ALLAPRA, ERNAKULAM DISTRICT.**

BY ADV. SRI.K.I.SAGEER IBRAHIM

RESPONDENT(S) :

- 1. VENGOLA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, VENGOLA,
ERNAKULAM DISTRICT.**
- 2. THE SECRETARY,
VENGOLA GRAMA PANCHAYAT,
REPRESENTED BY THE SECRETARY, VENGOLA,
ERNAKULAM DISTRICT.**

BY ADV. SRI.C.A.NAVAS

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE PHOTOSTAT COPY OF THE BUILDING PERMIT B/150/08
DATED 09/03/2010.**
- P2: THE PHOTOCOPY OF THE INTERIM ORDER DATED 27/03/2009 IN
W.P.(C).NO.9155/2007 OF HONOURABLE HIGH COURT.**
- P3: THE PHOTOCOPY OF THE ORDER DATED 21/04/2014 IN SLP (CIVIL)
NO.22856/2011 OF THE HONOURABLE SUPREME COURT.**
- P4: THE PHOTOSTAT COPY OF PROPERTY TAX RECEIPT NO.1897554
DATED 01/04/2014.**
- P5: THE PHOTOSTAT COPY OF FOREST NOC NO.164/2014-16
DATED 21/02/2015.**
- P6: THE PHOTOSTAT COPY OF THE CONSENT TO OPERATE FROM
THE POLLUTION CONTROL BOARD NO.PCB/EKM/IAO - 517/2011
DATED 24/07/2013.**
- P7: THE PHOTOSTAT COPY OF THE FIRE NOC NO.A-12325/2013
DATED 13/02/2014.**
- P8: THE PHOTOSTAT COPY OF NOC FROM DMO NO.C2-19373/12(L.DIS)
DATED 16/11/2012.**
- P9: THE PHOTOSTAT COPY OF FACTORY LICENSE DATED 24/12/2014.**
- P10: THE PHOTOSTAT COPY OF THE NOTICE NO.A1-10417/13
DATED 28/11/2013.**
- P11: THE PHOTOSTAT COPY OF THE APPLICATION DATED 06/05/2015 FOR
LICENSE.**
- P12: THE PHOTOSTAT COPY OF THE JUDGMENT DATED 09/04/2015 IN
W.P.(C).NO.10462/2015 OF HONOURABLE HIGH COURT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.15277 of 2015

Dated this the 25th day of May, 2015.

JUDGMENT

The petitioner is the Proprietor of M/s. Moothedam Timbers, Allapra, Vengola, Ernakulam District. The petitioner is aggrieved by the non-issuance of fresh licence by the respondents in spite of obtaining all the statutory clearances/NOC from the concerned departments. According to the petitioner, he has obtained clearance from the Pollution Control Board, Health, Fire, Forest etc. There is no further requirement for the issuance of fresh licence. The petitioner points out that the denial on the part of respondents 1 and 2 in issuing fresh licence is without any valid reason.

3. When the matter was taken up for hearing, the learned counsel for the petitioner invited my attention to the ratio of the decision laid down by this Court in W.P.(C) No.15120 of 2015, which covers a similar situation.

In the light of the above, this writ petition is disposed of on

the same line applying the ratio laid down by this Court in the aforesaid case.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.