

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 15323 of 2015 (M)

PETITIONER(S):

**M/S.KORIAN GRANITE INDUSTRIES,
AKAVANDA, MANNUR WEST.P.O.,
PALAKKAD-678 642.
REPRESENTED BY ITS MANAGING PARTNER P.A.ASSANAR.**

**BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.ENOCH DAVID SIMON JOEL**

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
PALAKKAD-678 001.**
- 2. TAHSILDHAR,
OTTAPALAM, PALAKKAD-679 101.**
- 3. VILLAGE OFFICER,
AMBALAPARA-I, PALAKKAD-679 612.**

BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE EXPLOSIVE LICENSE VALID TILL 31.03.2019 GRANTED TO THE PETITIONER.**
- P2- TRUE COPY OF THE APPLICATION DTD. 05.09.2011 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**
- P3- TRUE COPY OF THE LETTER DTD. 25.09.2011 SUBMITTED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT.**
- P4- TRUE COPY OF THE LETTER DTD. 04.11.2013 ISSUED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT.**
- P5- TRUE COPY OF THE LETTER DTD. 15.05.2015 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.15323 of 2015

Dated this the 7th day of September, 2015

JUDGMENT

The petitioner approached the first respondent for grant of No Objection Certificate to establish an explosive magazine. The petitioner's case is that they want to store the explosive and not to use the explosive. According to the petitioner, for the requirement of third parties, they want to provide the facility to them. The petitioner submits that at present they have no intention for using the explosive in the quarry and would operate the quarry only after obtaining environment clearance.

2. This Court is of the view that since the environment clearance is necessitated only for the purpose of quarry and certainly, the petitioner would be entitled to use the explosive in the quarry only after obtaining environment clearance and permit.

In that view of the matter, Ext.P2 shall be reconsidered for the purpose of obtaining NOC to establish the explosive magazine by the first respondent for the purpose of storing. Needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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