

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 27TH DAY OF NOVEMBER 2015/6TH AGRAHAYANA, 1937

WP(C).No. 21555 of 2009 (L)

PETITIONER:

LOVELY JAMES, W/O.JAMES,
PARAYIL HOUSE, MYSOREMALA, MUKKOM P.O.
KOZHIKODE.

BY ADVS.SRI.SIBY MATHEW
SRI.B.PREMNATH (E)
SRI.PHILIP J.VETTICKATTU

RESPONDENTS:

1. KARASSERY GRAMA PANCHAYAT
KARASSERRY P.O., MUKKOM, KOZHIKODE-673 602
REP.BY ITS SECRETARY.
2. THE SECRETARY, KARASSERRY GRAMA
PANCHAYAT, KODIYATHUR P.O., MUKKOM
KOZHIKODE-673 602.
3. DISTRICT OFFICE OF THE KERALA
STATE POLLUTION CONTROL BOARD, 3RD FLOOR
ZAMORINS SQUARE, LINK ROAD, KOZHIKODE
REPRESENTED BY THE ENVIRONMENTAL ENGINEER.
4. THE DISTRICT TOWN PLANNER,
TOWN AND COUNTRY PLANNING DEPARTMENT, KOZHIKODE.

R3 BY ADV. SRI.A.SUDHI VASUDEVAN
R1& R2 BY ADVS. SRI.V.V.SURENDRAN
SRI.P.A.HARISH

R3 BY ADVS. SRI.JOICE GEORGE, SC, KERALA STATE POLLUTION
CONTROL BOARD

SRI.M.K.CHANDRA MOHANDAS,SC,POLLUTION CONTROL BOARD.

R4 BY GOVERNMENT PLEADER SRI.ARUNKUMAR M.R.KARARANAVAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
27.11.2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21555 of 2009

PETITIONER'S EXHIBITS:

P1 : TRUE COPY OF THE RECEIPT NO.9742 ISSUED BY THE 1ST RESPONDENT.

P2 : TRUE COPY OF THE PLAN OF THE BUILDING.

P2(a) : TRUE COPY OF THE RECEIPT DATED 19.2.2009

P3 : TRUE COPY OF THE CONSENT BY THE 3RD RESPONDENT.

P4 : TRUE COPY OF THE NOTICE DT.25.7.2009, NO.A2.2001/09 BY THE 2ND RESPONDENT.

P5 : TRUE COPY OF THE ORDER IN W.P.(C) NO.1896/2009 DT.28.5.2009 OF THIS HON'BLE COURT.

P6 : TRUE COPY OF THE N.O.C. BY ONE SRI.SHIJU, PUTHANPURAKKAL DT.6.6.09.

RESPONDENTS' EXHIBITS; NIL

//TRUE COPY//

P.A TO JUDGE

smv

SHAJI P. CHALY, J.

W.P.(C). No.21555 of 2009

Dated this the 27th day of November, 2015

JUDGMENT

This Writ Petition is filed by the petitioner challenging Ext.P4 order issued by the 1st respondent Panchayat directing the petitioner to close down the pig farm conducted without obtaining required licences from the Panchayat and other statutory authorities.

2. Today when the matter was taken up for hearing, learned counsel for the petitioner submits that subsequent to the filing of the Writ Petition he has secured all necessary licences from the Panchayat and other statutory authorities by which he is carrying on the pig farm.

3. Heard learned counsel for the petitioner and learned counsel for the respondent Panchayat.

4. Having considered the rival submissions, I am of the opinion that if the petitioner has secured necessary licences as required under law from the various statutory authorities he is entitled to carry on the pig farm. The respondent Panchayat will ensure that the petitioner is carrying on the pig farm in accordance with the rules and regulations in force.

Writ Petition is disposed of recording the submission made by the counsel for the petitioner that he is carrying on the pig farm after securing licences from the statutory authorities after filing of the Writ Petition.

Sd/-
SHAJI P. CHALY
JUDGE

//true copy//

P.A. To Judge

smv
27.11.2015