

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 18049 of 2015 (E)

PETITIONER(S) :

M/S.ARAFA PLYWOOD & VENEERS,
ORNA, ALLAPRA PO, ERNAKULAM DISTRICT,
REPRESENTED BY THE MANAGING PARTNER- ISMAIL C.M.,
AGED 54 YEARS, S/O.MEETHIAN @ AIMU.

BY ADV. SRI.K.I.SAGEER.

RESPONDENT(S) :

1. VENGOLA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY,
VENGOLA,
ERNAKULAM DISTRICT, PIN - 686 554.
2. THE SECRETARY,
VENGOLA GRAMA PANCHAYAT, VENGOLA,
ERNAKULAM DISTRICT,
PIN - 686 554.

BY ADV.SRI.C.A.NAVAS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1- PHOTOSTAT COPY OF LICENSE 558/14 DATED 30.1.2014.
- EXT. P2- THE PHOTOCOPY OF THE BUILDING TAX RECEIPT NO.B 5327259 & B 5327260 DATED 30.5.2015.
- EXT. P3- THE PHOTOSTAT COPY OF FOREST NOC NO.120 DATED 7.7.12.
- EXT. P4- THE PHOTOSTAT COPY OF NOC FROM THE POLLUTION CONTROL BOARD NO.PCB/EKM/IAO-69/2009 DATED 4.2.2014.
- EXT. P5- THE PHOTOSTAT COPY OF THE FIRE NOC NO. A-6303/13 DATED 13.8.13.
- EXT. P6- THE PHOTOSTAT COPY OF THE NOC FROM DMO NO.L.DIS (C2) -11139/13 DATED 3.7.2013 .
- EXT. P7- THE PHOTOSTAT COPY OF FACTORY PERMIT NO. E/194/2013 DATED 5.11.2013.
- EXT. P8- THE PHOTOCOPY OF THE JUDGMENT DATED 9.4.2015 IN WPC NO.10462/2015 OF HONOURABLE HIGH COURT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No.18049 of 2015

Dated this the 16th day of June, 2015.

JUDGMENT

Aggrieved by the non-renewal of the licence for the petitioner's plywood unit, the petitioner has come up before this Court.

2. The petitioner is the Managing Partner of M/s.Arafa Plywood and Veneers, a running plywood unit. The petitioner is aggrieved by the non-renewal of licence by the respondents in spite of obtaining all the statutory clearances/NOC from the concerned departments. It is alleged that the petitioner filed application for renewal of licence for the year 2014-15 and 2015-16, but the consideration of the same are kept in abeyance for non-payment of building tax. After the remittance of building tax, the respondents refused to grant renewal of licence on flimsy ground. However, the panchayat allowed the petitioner's unit to operate as deemed licence and never refused the application for licence though the same was kept pending illegally.

3. I have heard the learned counsel for the petitioner and the learned counsel for the respondent panchayat in the matter.

4. The learned counsel for the respondent panchayat on instructions submitted that the delay in renewing the licence was on account of failure on the part of the petitioner in remitting the building tax and now the petitioner is remitted the building tax vide Ext.P2.

Therefore, the writ petition is disposed of directing the respondent panchayat to renew the licence for the continued functioning of the petitioner's unit on condition that the petitioner shall produce all other clearance as envisaged by the rules. This shall be done within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.