

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 16TH DAY OF SEPTEMBER 2015/25TH BHADRA, 1937

WP(C).No. 18608 of 2015 (A)

PETITIONER(S):

**C.Y.MEERAN, AGED 54 YEARS,
S/O YOUSAF, CHENTARA HOUSE, KANDANTHARA,
ALLAPRA P.O., PERUMBAVOOR, MANAGING PARTNER,
M/S. SURYA INDUSTRIES, ASARIMUKAL, ALLAPRA P.O.,
PERUMBAVOOR - 683 533.**

**BY ADVS.SRI.SIRAJ KAROLY
SRI.R.PARAMESWARA IYER**

RESPONDENT(S):

- 1. THE AIR/WATER PREVENTION & CONTROL OF POLLUTION,
APPELLATE AUTHORITY, KERALA,
REPRESENTED BY THE SECRETARY,
THIRUVANANTHAPURAM, PIN - 695 001.**
- 2. THE ENVIRONMENTAL ENGINEER, POLLUTION CONTROL BOARD,
DISTRICT OFFICE (ERNAKULAM -II),
PERUMBAVOOR, PIN - 684 337.**
- 3. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, INDUSTRIES & COMMERCE,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695 001.**

**R1 & R2 BY ADV. SRI. M.AJAY, SC
R3 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 18608 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF THE PRESENT CONSENT TO OPERATE DATED 26/2/2013.

EXT.P2 TRUE COPY OF THE CONSENT REVOCATION ORDER DATED 5/9/2014.

EXT.P3: TRUE COPY OF THE LETTER DATED 1/12/2014.

EXT.P4: TRUE COPY OF THE DEMAND FOR BANK GUARANTEE DATED 5/12/2014.

EXT.P5: TRUE COPY OF THE CONSENT TO OPERATE RENEWAL DATED 17/12/2014.

EXT.P6: TRUE COPY OF THE CONSENT VARIATION ORDER 11/2/2015.

EXT.P7: TRUE COPY OF THE APPEAL DATED 20/3/2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 18608 of 2015

Dated this the 16th day of September, 2015

J U D G M E N T

Petitioner approached the first respondent in Ext.P7 appeal, aggrieved by Ext.P6 consent variation order issued by the Kerala State Pollution Control Board. It appears that for a short interval, the appellate authority was not constituted. It is now admitted by the learned Government Pleader that the appellate authority has been constituted and the appeal is to be addressed to the Air/Water Appeal Committee.

In that view of the matter, there will be a direction to the appellate authority to consider Ext.P7 appeal within a period of three months after notice to the petitioner. It is also for the petitioner to approach the appellate authority seeking the stay of operation of Ext.P6 order. It is made clear that if such application is filed, the same shall be considered as an interim measure.

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This writ petition is disposed of as above.

sd/-

A.MUHAMED MUSTAQUE,
Judge

MBS/