

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 18865 of 2015 (G)

PETITIONER(S) :

**YOOSAF THEKEDATH, AGED 53 YEARS, S/O.MOHAMMAD,
THEKKEDATH HOUSE, KUMARANELLOOR POST, MUKKAM,
KOZHIKKODE DISTRICT.**

**BY ADVS.SRI.M.R.ARUNKUMAR
SRI.P.SHAMMI NAVAS**

RESPONDENT(S) :

- 1. THE DISTRICT COLLECTOR,
KOZHIKKODE DISTRICT, CIVIL STATION, KOZHIKKODE-673 020.**
- 2. THE SECRETARY,
KARASSERY GRAMA PANCHAYATH, KARASSERY POST,
KOZHIKKODE - 673 602.**
- 3. THE CHIEF AREA MANAGER,
INDIAN OIL CORPORATION LIMITED,
KOZHIKKODE AREA OFFICE, 2ND FLOOR, P.M.K.TOWERS,
P.O.CIVIL STATION, WAYANAD ROAD, KOZHIKKODE - 673 020.**
- 4. THE INDIAN OIL CORPORATION,
REPRESENTED BY THE MANAGING DIRECTOR, G-9,
ALIYAVAR JUNG MARG, BANDRA, MUMBAI,
MAHARASHTRA-400 051.**
- 5. THE DEPUTY CHIEF CONTROLLER OF EXPLOSIVES,
KENDRIYA BHAVAN, OPPOSITE EXPORT PROCESSING ZONE, C-2,
3RD FLOOR, C.G.O.COMPLEX, KAKKANAD, ERNAKULAM - 682 030.**
- 6. THE DISTRICT TOWN PLANNER,
KOZHIKKODE DISTRICT, CIVIL STATION, KOZHIKKODE-673 020.**
- 7. THE FIRE AND RESCUE DEPARTMENT,
REPRESENTED BY THE ASSISTANT DIVISIONAL OFFICER,
MUKKAM, KOZHIKKODE.**

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**8. JUMNA AMINA N.K.,
NEDUMKUNNATH HOUSE, P.O.KARASSERY, MUKKAM,
KOZHIKODE - 673 602.**

**R1, R6 & R7 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA
R3 & R4 BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR
R5 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 18865 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT DATED 12.01.2015.**

**EXHIBIT P2: COPY OF JUDGMENT OF THIS HONOURABLE DATED 18.12.2014 IN
W.P.(C).NO.26070 OF 2014.**

**EXHIBIT P3: COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE 1ST RESPONDENT DATED 12.01.2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 18865 of 2015

Dated this the 24th day of June, 2015

J U D G M E N T

Alleging inaction on the part of respondents 1 & 2 in considering Exts.P1 & P3, the petitioner has come up before this Court.

2. The petitioner is a resident in the area, which is the proposed site for construction of LPG gas cylinder godown owned by the 8th respondent. The petitioner and the other residents in the locality apprehend that the 8th respondent is going to construct the said godown without obtaining the statutory licences from the respondents. According to the petitioner, the said area is thickly populated and there is no proper ingress and egress to the LPG cylinder godown. He further alleges that respondents 1 and 2 are taking hasty steps to grant licences to the 8th respondent without complying with statutory requirements due to the political influence of the 8th respondent. The petitioner's grievance is that though he approached the 1st

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respondent as well as the 2nd respondent with representations, no action has been taken. Hence, this writ petition.

2. Heard the learned counsel for the petitioner and the learned Government Pleader.

3. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the 1st respondent to consider Ext.P3 representation, this Court is of the view that the writ petition can be disposed of even without issuing notice to respondents 2, 3, 4 & 8.

Therefore, the writ petition is disposed of directing the 1st respondent to consider and pass appropriate orders on Ext.P3 after affording the petitioner and the affected parties an opportunity of being heard, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-