

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

WP(C).No. 19423 of 2014 (C)

PETITIONER(S) :

1. N. SURENDRAN,
SURENDRAMANDIRAM, EDATHITTA, KODUMON VILLAGE,
ADOOR - 691 555.
- 2 P.RAVEENDRAN,
NITHYATHAYIL, EDATHITTA, KODUMON VILLAGE,
ADOOR - 691 555.

BY ADVS.SMT.AYSHA YOUSEFF
SMT.MOLLY JACOB
SMT.RABIA BEEGAM T.K.
SRI.JOBI.A.THAMPI
SMT.M.KABANI DINESH
SMT.ASHIFA YOUSEFF
SMT.FASHIYA YOUSEFF
SMT.SITHARA SHAMSUDEEN
SMT.T.V.SREEJA

RESPONDENT(S) :

1. KODUMON GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, KODUMON, ADOOR,
PATHANAMTHITTA - 691 555.
2. ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, MAKKAMKUNNU, PATHANAMTHITTA - 689 645.
3. ASSISTANT DIVISIONAL OFFICER,
FIRE AND RESCUE SERVICE, PATHANAMTHITTA - 689 645.
4. FOREST RANGE OFFICER,
RANNI, PATHANAMTHITTA - 689 662.
5. SRI.THRISSI,
THRISSI BHAVAN, EDATHITTAMURI, KODUMON VILLAGE
ADOOR 691 555.
6. SASIDHARAN NAIR,
S/O.BALAKRISHNA PILLA, PADAMUTTATHU HOUSE,
KANNAMKODU MURI, ADOOR VILLAGE, KANNAMKODU P.O.,
ADOOR TALUK - 691 523.

R1 BY ADV. SRI.GEORGE VARGHESE (PERUMPALLIKUTTIYIL)
R1 BY ADV. SRI.A.R.DILEEP
R1 BY ADV. SRI.MANU SEBASTIAN
BY SRI.M.R.ARUNKUMAR, SC, POLLUTION CONTROL BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1: COPY OF THE REPRESENTATION DTD. 11/4/2014 BEFORE THE CHAIRMAN OF KERALA STATE POLLUTION CONTROL BOARD.
- EXT. P2: COPY OF THE LETTER DATED 12/6/2014 OF THE 1ST RESPONDENT ADDRESSED TO 2ND RESPONDENT TO STOP THE CONSTRUTION ACTIVITIES.
- EXT. P3: PHOTO COPY OF THE LETTER DTD. 23/4/2014 OF THE COMMANDANT GENERAL.
- EXT. P4: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE KODUMON GRAMA PANCHAYAT PRESIDENT DATED 28/6/2014.
- EXT. P4(A): COPY OF THE RECEIPT EVIDENCING RECEIPT OF REPRESENTATION DTD. 28/6/2014.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C)No.19423 of 2014

Dated this the 10th day of August, 2015.

J U D G M E N T

The petitioner has approached this Court alleging inaction on the part of the 1st respondent in issuing a stop memo to the 6th respondent against the finalising of a Sawmill in the property of 5th respondent, which according to the petitioner is without any valid permit/NOC from the 1st respondent panchayat as well as the Kerala State Pollution Control Board.

2. I have heard the learned counsel for the petitioners, the learned standing counsel for the respondents and the counsel for the 5th and 6th respondents entered appearance.

3. Today, when the matter came up for hearing, the learned standing counsel for the respondents would submit that the respondents had obtained all clearance from the Kerala State Pollution Control Board and on the basis of the same, the 1st respondent has issued permit. The learned

Standing counsel for the Board would also submitted that the consent has already issued to the party respondents which is valid upto 30.6.2017. The 1st respondent panchayat, who is a competent authority, has also granted permission to the party respondent to establish the saw bill.

In the result, the writ petition is closed. It is hereby made clear that if the petitioners have any subsisting grievance, the petitioners shall approach the Tribunal for Local Self Government in appeal against the order passed by the panchayat, if he is aggrieved.

Sd/-
A.V.RAMAKRISHNA PILLAI,
Judge.

ami/

//True copy//

P.A. to Judge