

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937

WP(C).No. 19423 of 2015 (C)

PETITIONER(S) :

**M/S. ST.JOSEPH GRANITES,
ACHANKUNNU, VALAKKAVU, MULAYAM (P.O), THRISSUR-680 751,
REPRESENTED BY ITS MANAGING PARTNER,
MR.JOS K.FRANCIS, AGED 54 YEARS, S/O. K.C.FRANCIS.**

BY ADV. SRI.JOBI JOSE KONDODY

RESPONDENT(S) :

- 1. NADATHARA GRAMA PANCHAYAT, REPRESENTED BY ITS SECRETARY,
NADATHARA GRAMA PANCHAYAT OFFICE, MOORKKANIKKARA,
KOZHUKULLY (P.O), THRISSUR-680 751.**
- 2. THE SECRETARY, NADATHARA GRAMA PANCHAYAT,
NADATHARA GRAMA PANCHAYAT OFFICE, MOORKKANIKKARA,
KOZHUKULLY (P.O), THRISSUR-680 751.**
- 3. THE ENVIRONMENTAL ENGINEER, KERALA STATE POLLUTION
CONTROL BOARD, DISTRICT OFFICE, 6TH FLOOR, SUN TOWER,
EAST FORT P.O., THRISSUR-680 005.**

*** ADDITIONAL R4 IMPEADED**

**4. REGHUTHAMAN.V.K., AGED 48 YEARS,
S/O.KUNJUKUTTY, ANCHUPARAYIL, OLIMKADAVU PO.,
MANGALAM DAM, PALGHAT DISTRICT,
NOW RESIDING AT VIYURKKARAN HOUSE, MULAYAM VILLAGE,
MULAYAM PO., ACHENNKUNNU, TRISSUR TALUK, TRISSUR DISTRICT.**

*** ADDITIONAL R4 IS IMPEADED AS PER ORDER DATED 13.07.2015 IN IA 9904/15.**

R1 & R2 BY ADVS. SRI.T.C.SURESH MENON

SRI.A.R.NIMOD

R3 BY ADV. SRI. M.AJAY, S.C

ADDL.R4 BY ADVS. SRI.MATHEW PAUL

SRI.T.K.MOHANAN NAIR

SRI.ABRAHAM VARUGHESE

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : A TRUE COPY OF THE CONSENT TO OPERATE ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER DATED 03.10.2012 VALID UPTO 30.06.2015.**
- P2 : A TRUE COPY OF THE D & O LICENSE DATED 04.07.2014 ISSUED BY THE SECOND RESPONDENT TO THE METAL CRUSHER UNIT OF THE PETITIONER FOR THE YEAR 2014-15.**
- P3 : A TRUE COPY OF THE LICENSE RENEWAL APPLICATION FOR RENEWING EXT.P2 FOR THE YEAR 2015-2016 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 07.02.2015.**
- P4 : A TRUE COPY OF THE RECEIPT EVIDENCING SUBMISSION OF EXT.P3 APPLICATION ON 07.02.2014 ISSUED BY THE OFFICE OF THE SECOND RESPONDENT.**
- P5 : A TRUE COPY OF THE DEMAND DRAFT SUBMITTED BY THE PETITIONER FOR RS.9,375/- IN FAVOUR OF THE 2ND RESPONDENT TOWARDS THE RENEWAL FEE OF EXT.P2 FOR THE YEAR 2015-2016.**
- P6 : A TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT CARD EVIDENCING RECEIPT OF EXT.P5 BY THE 2ND RESPONDENT DATED 30.03.2015.**
- P7 : A TRUE COPY OF THE NOTICE DATED 06.04.2015 ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER.**
- P8 : A COPY OF THE INTERIM ORDER DATED 09.04.2015 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN W.P.(C).NO.11867 OF 2015.**
- P9: A TRUE COPY OF THE RENEWED EXT.P2 D & O LICENSE DATED 09.04.2015 VALID UPTO 30.06.2015.**
- P10: A TRUE COPY OF THE RENEWAL APPLICATION FOR EXT.P1 SUBMITTED BY THE PETITIONER BEFORE THE THIRD RESPONDENT DATED 31.03.2015.**
- P11: A TRUE COPY OF THE RECEIPT DATED 31.03.2015 ISSUED BY THE THIRD RESPONDENT.**
- P12: A TRUE COPY OF THE NOTICE DATED 20.06.2015 ISSUED BY THE SECOND RESPONDENT TO THE PETITIONER.**
- P13: A TRUE COPY OF THE SKETCH AND PLAN ISSUED BY THE MULAYAM VILLAGE OFFICER WITHOUT DATE.**

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**P14: A TRUE COPY OF THE LICENSE ISSUED BY THE JOINT DIRECTOR OF
FACTORIES AND BOILERS DATED 08.12.2014 TO THE PETITIONER.**

**P15: A TRUE COPY OF THE CERTIFICATE DATED 26.06.2015 ISSUED BY
THE THIRD RESPONDENT TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 19423 of 2015

Dated this the 6th day of August, 2015

J U D G M E N T

The learned counsel for the petitioner submitted that on the basis of the interim direction by this Court, the Kerala State Pollution Control Board has renewed the consent to operate, based on which the respondent panchayath also renewed the licence.

As the very purpose sought to be achieved by the filing of this writ petition has been served, this writ petition is closed making the interim order absolute.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-