

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 20650 of 2015 (E)

PETITIONER:

**SUBASH K.B,
S/O.BHASKARAN, AGED 22,
KOONATTU HOUSE, PATTANAM,
VADAKKEKKARA P.O., NORTH PARAVUR-683 522.**

BY ADV. SRI.G.KRISHNAKUMAR

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
CIVIL STATION, KAKKANAD-682 030.**
- 2. DISTRICT POLICE SUPERINTENDENT,
ERNAKULAM (RURAL), ALUVA-683 102.**
- 3. DIVISIONAL OFFICER,
OFFICE OF THE DIVISIONAL OFFICER,
FIRE & RESCUE DEPARTMENT, ERNAKULAM-682 002.**
- 4. TAHILDAR, TALUK OFFICE,
NORTH PARAVUR-682 005.**

BY SENIOR GOVT.PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1. TRUE COPY OF THE APPLICATION LICENCE DATED 4/7/2012
SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.
- EXT.P2. TRUE COPY OF THE SITE PLAN APPENDED ALONGWITH EXT.P1
APPLICATION.
- EXT.P3. TRUE COPY OF THE COMMUNICATION DATED 17/7/2012.
- EXT.P4. TRUE COPY OF THE CERTIFICATE NO.D1-4951/2012 ISSUED BY THE
3RD RESPONDENT TO THE 1ST RESPONDENT.
- EXT.P5. TRUE COPY OF THE COMMUNICATION DATED 13/5/2014 ISSUED BY
THE 1ST RESPONDENT TO THE PETITIONER.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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K. VINOD CHANDRAN, J.

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Dated this the 20th day of July, 2015

J U D G M E N T

The petitioner had applied for an explosives licence, for which the petitioner is said to have received consent from all the authorities. However, the District Collector, the 1st respondent herein by Ext.P5 rejected the application. The only reason stated in the rejection order is that the father of the petitioner was involved in a case under the Explosives Act, 1884.

2. The learned Counsel for the petitioner submits that the said case was one, in which the father of the petitioner was alleged to have sold the explosives without licence. In any event, the fact that the petitioner's father was involved in an offence under the Act, cannot disentitle the petitioner from obtaining a licence.

3. In such circumstance, Ext.P5 would stand set aside.

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The petitioner's application would be considered de hors the fact that petitioner's father was involved in an offence under the Act. The consideration shall be made within a period of one month from the date of receipt of the certified copy of this judgment.

The writ petition is disposed of.

**Sd/-
K. VINOD CHANDRAN,
JUDGE**

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// true copy //

P.A to Judge.