

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

WP(C).No. 23692 of 2013 (J)

PETITIONER:

POULOSE, AGED 48 YEARS
S/O.KURIAKOSE, KIZHAKKUMPARAMBIL HOUSE
UPPUKANDAM KARA, AIROORPADAM, KOTHAMANGALAM TALUK
ERNAKULAM DISTRICT.

BY ADV. SRI.S.DILEEP (KALLAR)

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
LOCAL SELF GOVERNMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN-695001.
2. THE CHIEF ENVIRONMENT ENGINEER
POLLUTION CONTROL BOARD, PANAMPILLY NAGAR
ERNAKULAM DISTRICT, KOCHI-682030.
3. KOTTAPPADI GRAMA PANCHAYATH
KOTTAPPADI P.O., ERNAKULAM DISTRICT
PIN-686695 REPRESENTED BY SECRETARY.
4. THE MEDICAL OFFICER
PRIMARY HEALTH CENTRE, KOTTAPPADI P.O.
ERNAKULAM DISTRICT-680682.
5. ULAHANNAN
S/O.ITTIYAVIRA, KAKKANAD VEEDU, UPPUKANDAM KARA
AIROORPADAM, KOTHAMANGALAM TALUK, ERNAKULAM-680682.

R3 BY ADV. SRI.V.A.MUHAMMED
R5 BY ADV. SRI.PAUL K.VARGHESE
R BY GOVERNMENT PLEADER SMT.SMITHA VINOD
R BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
02-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) 'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE SALE DEED OF THE PETITIONER'S PROPERTY
SHOWING ITS NATURE AND LIE.

EXHIBIT P2: TRUE COPY OF THE COMPLAINT DATED 22.10.2012 SUBMITTED BY
THE PETITIONER TO THE 3RD RESPONDENT.

EXHIBIT P3: TRUE COPY OF THE COMPLAINT DATED 22.10.2012 SUBMITTED BY
THE PETITIONER TO THE 4TH RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE COMPLAINT DATED 30.5.2013 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.

EXHIBIT P4: TRUE COPY OF THE COMPLAINT DATED 30.5.2013 SUBMITTED BY
THE PETITIONER TO THE 2ND RESPONDENT.

EXHIBIT P4(A): TRUE COPY OF THE POSTAL RECEIPT DATED 30.5.2013
SHOWING THE DUE ACCEPTANCE OF EXT.P4 BY THE 2ND RESPONDENT.

RESPONDENT'S EXHIBITS: NIL

TRUE COPY

PA TO JUDGE

Scl.

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C) No.23692 of 2013

Dated this the 2nd day of February, 2015.

JUDGMENT

The petitioner has approached this Court alleging that the working of the farm made by the fifth respondent is illegal and contrary to law and without getting any licence or sanction from respondents 2 to 4.

2. The petitioner alleges that the fifth respondent started a chicken farm without the licence and without obeying the statutory regulations. According to him, the farm was created very harmful situation in the locality. He further alleges that the entire water connection system in the locality became polluted and the farm is causing severe health hazards to the people in the locality.

3. Today when the matter came up for hearing, the learned Standing Counsel for the Kerala State Pollution Control Board submits that authorised engineer of the Board has conducted a local inspection and found that the farm run by

the fifth respondent is not causing any pollution in the environment. The learned counsel for the respondent panchayat submits that the farm is working as per the licence issued by the panchayat.

In the light of the aforesaid submission, the writ petition is closed.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

Scl.