

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 14TH DAY OF JULY 2015/23RD ASHADHA, 1937

WP(C).No. 21228 of 2015 (C)

PETITIONER(S):

**P.E.POULOSE, AGED 57 YEARS,
S/O.ESTHAPPANOSE, PALLIKKAL HOUSE, VENGOOR,
KIDANGOOR, ANGAMALY, ERNAKULAM.**

**BY ADVS.SRI.K.R.VINOD
MS.JENCY SUSAN JOSE
SRI.V.SRI NATH**

RESPONDENT(S):

**THE SECRETARY,
AYYAMPUZHA GRAMA PANCHAYATH,
AYYAMPUZHA PO, MANJAPRA,
PIN 683581.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: THE COPY OF THE BUILDING PERMIT ISSUED BY THE RESPONDENT IN FAVOUR OF THE PETITIONER**
- P2: THE COPY OF THE PERMIT ISSUED BY THE JOINT DIRECTOR, FACTORIES AND BIOLERS BEARING NO. E/240/2014 DATED 10.12.2014**
- P3: THE COPY OF THE CONSENT ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD**
- P4: THE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DISTRICT MEDICAL OFFICER OF HEALTH, ERNAKULAM**
- P5: THE COPY OF THE CONSENT LETTER FROM THE DEPARTMENT OF INDUSTRIES, GOVERNMENT OF KERALA**
- P6: THE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DIVISIONAL OFFICER, FIRES AND RESCUE SERVICES, ERNAKULAM**
- P7: THE COPY OF THE NON OBJECTION CERTIFICATE ISSUED BY THE DIVISIONAL FOREST OFFICER, MALAYATTOOR**
- P8: THE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT HEREIN DATED 22.06.2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 21228 of 2015

Dated this the 14th day of July, 2015

J U D G M E N T

Aggrieved by the delay in considering Ext.P8 application submitted by the petitioner before the respondent panchayath, the petitioner has come up before this Court.

2. The petitioner is the Managing Partner of M/s. Avani Agro Mills, having rice processing units in various places at Ernakulam. On 17.09.2014, he was issued with Ext.P1 building permit by the respondent to construct a new building for his rice manufacturing unit at Ayyampuzha Village. Thereafter, he approached various statutory authorities and got Exts.P2 to P7 documents issued in his favour for the purpose of functioning of the proposed unit. After completion of the construction of the building for his proposed unit in accordance with Ext.P1 permit and complying with all statutory requirements to start the rice mill, he submitted Ext.P8 application for issuing the permit for erecting the machineries and the D&O licence for the

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said business, before the respondent on 22.06.2016. The petitioner's grievance is that even though Ext.P8 application was submitted as early as on 22.06.2015, the respondent has not passed any orders on the same till date. Hence, this writ petition.

3. As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to the respondent to consider Ext.P8, this Court is of the view that the writ petition can be disposed of even without issuing notice to the respondent.

Therefore, the writ petition is disposed of directing the respondent to consider and pass appropriate orders on Ext.P8 after affording the petitioner an opportunity of being heard within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action, the petitioner shall be at liberty to produce a copy of this writ petition as well as a copy of this judgment before the respondent at the earliest.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-