

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 9TH DAY OF OCTOBER 2015/17TH ASWINA, 1937

WP(C).No. 21502 of 2015 (k)

PETITIONER :

**V.V.SHELLY,
VADAKKEDATHU (H), PALLURUTHI P.O.,
COCHIN - 6.**

**BY ADVS.SRI.SAIBY JOSE KIDANGOOR
SRI.BENNY ANTONY PAREL**

RESPONDENT(S) :

- 1. STATE OF KERALA
REP. BY ITS SECRETARY, DEPARTMENT OF REVENUE
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR
IDUKKI - 685 603.**
- 3. GEOLOGIST
GOVERNMENT OF MINING AND GEOLOGY, DISTRICT OFFICE
IDUKKI, MINI CIVIL STATION, THODUPUZHA - 685 585.**
- 4. RAJAKKAD GRAMA PANCHAYAT
RAJAKKAD P.O., pin - 685 566,
REPRESENTED BY ITS SECRETARY.**

R1 TO R3 BY GOVT. PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 21502 of 2015 (k)

APPENDIX

PETITIONERS' EXHIBITS ;

- EXHIBIT P1. COPY OF THE QUARRY PERMIT ISSUED BY 3RD RESPONDENT DATED 2.1.13.**
- EXHIBIT P2. COPY OF THE JUDGMENT IN WRIT PETITION (CIVIL) NO.29379 OF 2013 DATED 13.12.13.**
- EXHIBIT P3. COPY OF THE PROCEEDINGS FINALIZED BY 2ND RESPONDENT DATED 13.2.15.**
- EXHIBIT P4. COPY OF AFFIDAVIT ISSUED BY 4TH RESPONDENT DATED 28.5.15.**
- EXHIBIT P5. COPY OF THE COMMUNICATION ISSUED BY 3RD RESPONDENT DATED 17.6.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 21502 of 2015

Dated this the 9th day of October, 2015

J U D G M E N T

Petitioner seeks renewal of quarrying permit. Petitioner's quarrying permit expired on 1.1.2014. Petitioner approached this Court seeking renewal in terms of Ext.P5 Government Order.

2. According to the third respondent, the petitioner is not having a valid quarrying permit for the period from 1.4.2014 to 31.3.2015.

3. It is to be noted that a Division Bench of this Court reported in **All Kerala River Protection Council v. State of Kerala** [2015(2) KLT 78] held that no quarrying permit shall be renewed without environmental clearance. In that view of the matter, without obtaining the environmental clearance, the petitioner's permit cannot be renewed.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

WP(C).NO.

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