

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 16TH DAY OF JULY 2015/25TH ASHADHA, 1937

WP(C).No. 21538 of 2015 (N)

PETITIONER(S) :

SABU K.P. AGED 46 YEARS
S/O.PARAMESWARAN, MANAGING PARTNER
FIVE STAR OFFSET PRINTERS, KOTTADAYIL HOUSE
NETTOOR P.O., ERNAKULAM DISTRICT, PIN - 682 040.

BY ADVS.SRI.S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA

RESPONDENT(S) /RESPONDENTS:-:

1. THE KERALA COASTAL ZONE MANAGEMENT AUTHORITY
DEPARTMENT OF SCIENCE & TECHNOLOGY, SASTHRA BHAVAN
PATTOM, TRIVANDRUM - 4.

2. THE JOINT DIRECTOR
THE KERALA SCIENCE & TECHNOLOGY ENVIRONMENTALCOUNCIL
THE KERALA COASTAL ZONE MANAGEMENTAUTHORITY
SASTHRA BHAVAN, PATTOM, TRIVANDRUM - 4.

3. THE SECRETARY
MARADU MUNICIPALITY, MARADU, ERNAKULAM
PIN - 682 304.

BY ADV. SRI.K.R.SUNIL, KERALA COASTAL ZONE MANAGEMENT
AUTHORITY
BY SRI.T.R.RAJAN SC,MARADU MUNICIPALITY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21538 of 2015 (N)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. TRUE COPY OF NOTICE DATED 15.01.2015 ISSUED BY THE 3RD RESPONDENT.

EXHIBIT P2. TRUE COPY OF COVERING LETTER DATED 25.02.2015 OF THE 3RD RESPONDENT.

EXHIBIT P3. TRUE COPY OF LETTER DATED 03.06.2015 (WRONGLY TYPED AS 03.06.2014) ISSUED BY THE STATE PUBLIC INFORMATION OFFICER.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

vgs

A.V.RAMAKRISHNA PILLAI, J

WPC No.21538 of 2015

Dated this the 16th day of July, 2015

JUDGMENT

Alleging failure on the part of respondents 1 and 2 to dispose of the application for environmental clearance submitted by the petitioner in accordance with law, the petitioner has come up before this Court.

2. The petitioner applied for building permit and approved plan for expanding his existing printing press before the third respondent as early as on 22.11.2014. The third respondent by Ext.P1 dated 15.1.2015 informed the petitioner that clearance from the first respondent is necessary to issue building permit. Hence, the petitioner submitted necessary application for environmental clearance on 31.1.2015 before the third respondent. The third respondent along with Ext.P2 covering letter dated 25.2.2015 forwarded the application to the first respondent. The petitioner was issued with Ext.P3 information under the Right to Information Act that the

application was forwarded to the second respondent for report and further action could be taken on such report. According to the petitioner, though the application for environmental clearance is pending before respondents 1 and 2, no action has been taken by them till now. It is with this background, the petitioner has come up before this Court.

3. I have heard the learned counsel for the petitioner, the learned standing counsel for respondents 1 and 2 and the learned standing counsel for the third respondent Municipality.

As the learned counsel for the petitioner confined his argument to the limited prayer for a direction to respondents 1 and 2 to consider the application for environmental clearance, this writ petition is disposed of directing respondents 1 and 2 to consider and dispose of the application for environmental clearance pertaining to File No.1719/A2/15 of Science & Technology Department within a period of two weeks from the date of receipt of a copy of this judgment.

To facilitate an early action it shall be open to the petitioner to produce a copy of this judgment as well as a copy of the writ petition before the concerned authority.

sd/- A.V.RAMAKRISHNA PILLAI
JUDGE

CSS/