

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 3RD DAY OF AUGUST 2015/12TH SRAVANA, 1937

WP(C).No. 23326 of 2015 (M)

PETITIONER(S):

**REJI KURIAN, S/O.KURIAN,
THURUTHIYIL VEEDU, ALLAPRA KARA,
VENGOLA, PERUMBAVOOR.**

**BY ADVS.SRI.SHAJI THOMAS
SRI.BINU PAUL**

RESPONDENT(S):

- 1. THE DISTRICT MAGISTRATE (DISTRICT COLLECTOR),
CIVIL STATION, KAKKANADU, ERNAKULAM, PIN - 682 030.**
- 2. THE ADDITIONAL DISTRICT MAGISTRATE
CIVIL STATION, KAKKANADU,
ERNAKULAM, PIN - 682 030.**

BY SENIOR GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE LICENSE NO.E/SC/K/24 ISSUED FROM DEPUTY CHIEF CONTROLLER OF EXPLOSIVES, GOVERNMENT OF INDIA, PETROLEUM AND EXPLOSIVES, GOVERNMENT OF INDIA, PETROLEUM AND EXPLOSIVES SAFETY ORGANIZATION TO THE PETITIONER DTD.12.6.2009.

EXT.P2: TRUE COPY OF THE LICENSE ISSUED BY THE ADDITIONAL DISTRICT MAGISTRATE, ERNAKULAM IN FORM NO.24 VIDE ORDER NO.D.DIS 11056/2009/M4 DTD.2.3.2009.

EXT.P3: TRUE COPY OF THE LICENSE NO.E/SC/KL/25/49 (E 38795) DTD.27.3.2008 ISSUED BY THE DY. CONTROLLER OF EXPLOSIVES.

EXT.P4: TRUE COPY OF THE ORDER NO.D.DIS 49910/09/M4 DTD.16.11.2009 PASSED BY THE ADDITIONAL DISTRICT MAGISTRATE.

EXT.P5: TRUE COPY OF THE ORDER NO.LRA 5-2071/2010 DTD.29.9.2010 PASSED BY THE COMMISSIONER OF LAND REVENUE.

EXT.P6: TRUE COPY OF THE ORDER DTD.23.6.2011 IN WP(C) NO.37540 OF THIS HON'BLE COURT.

EXT.P7: TRUE COPY OF THE ORDER NO.D.DIS/13327/2010/M4 DTD.18.6.2013 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P8: TRUE COPY OF THE ORDER DTD.31.5.2014 IN WP(C) NO.21086 OF 2013.

EXT.P9: TRUE COPY OF THE EXPLANATIONS DTD.10.7.2014 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P10: TRUE COPY OF THE NOTICE DTD.24.3.2015 ISSUED FROM THE OFFICE OF THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P11: TRUE COPY OF THE EXPLANATIONS DTD.10.7.2014 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

EXT.P12: TRUE COPY OF THE AFFIDAVIT DTD.8.4.2015 FILED BY THE PETITIONER BEFORE THE ADDITIONAL DISTRICT MAGISTRATE, ERNAKULAM.

EXT.P13: TRUE COPY OF THE LETTER DTD.10.10.2014 ISSUED BY THE 1ST RESPONDENT TO THE DISTRICT POLICE CHIEF ERNAKULAM RURAL.

EXT.P14: TRUE COPY OF THE REPLY DTD.16.2.2015 ISSUED FROM THE DISTRICT POLICE CHIEF ERNAKULAM RURAL TO THE DISTRICT COLLECTOR ERNAKULAM AS NO.D1(b) 50093/2014/E DTD.16.2.2015.

EXT.P15: TRUE COPY OF THE ORDER DTD.19.5.2015 OF THE ADDITIONAL SESSIONS COURT, MUVATTUPUZHA IN CRL.APPEAL NO.147/2013.

Msv/

WP(C).No. 23326 of 2015 (M)

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

K. VINOD CHANDRAN, J.

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W.P.(C) No.23326 of 2015 - M

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Dated this the 3rd day of August, 2015

J U D G M E N T

The petitioner is aggrieved with the non-issuance of an NOC for explosive licence. The petitioner relies on Ext.P10 notice issued to him, to contend that the matter is pending before the Additional District Magistrate, Ernakulam, the 2nd respondent herein. The petitioner only seeks expeditious consideration of the same and contends that Exts.P11 to P15 be considered, when the matter is taken up for hearing.

2. In such circumstance, the petitioner shall be afforded an opportunity of personal hearing and the matter shall be considered in accordance with law, within a period of three months from the date of receipt of the certified copy of this judgment.

The writ petition is disposed of.

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

SB

// true copy //
P.A to Judge.