

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

WP(C).No. 23772 of 2015 (V)

PETITIONER(S):

1. RAJAN.N, AGED 59 YEARS,
S/O.NARAYANAN NADAR, PLAVILA VEEDU,
KUNNAPUZHA P.O, THIRUVANANTHAPURAM 32.
2. SUNIL L.R, AGED 30 YEARS, S/O.RAJAN N,
PLAVILA VEEDU, KUNNAPUZHA P.O,
THIRUVANANTHAPURAM - 32.
3. SUNANDA, D/O.RAJAN N, PLAVILA VEEDU,
KUNNAPUZHA P.O, THIRUVANANTHAPURAM - 32.

**BY ADVS.SRI.BIJU BALAKRISHNAN
SMT.V.S.RAKHEE
SMT.PRINCY XAVIER**

RESPONDENT(S):

1. STATE OF KERALA,
REPRESENTED BY SECRETARY,
DEPARTMENT OF INDUSTRY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.
2. JOINT SECRETARY TO GOVERNMENT,
DEPARTMENT OF INDUSTRY,
(APPELLATE AUTHORITY UNDER KMMC RULES),
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.
3. TAHSILDAR (RR),
OFFICE OF THE TAHASILDAR (REVENUE RECOVERY),
FORT P.O, THIRUVANANTHAPURAM, PIN - 695023.
4. DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, THIRUVANANTHAPURAM, PIN - 695005.

5. DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTOM,
THIRUVANANTHAPURAM, PIN - 695005.
6. DISTRICT COLLECTOR,
THIRUVANANTHAPURAM - 695 001.
7. VILLAGE OFFICER,
THIRUMALA VILLAGE OFFICE,
THIRUVANANTHAURAM, PIN - 695006.

BY GOVERNMENT PLEADER SMT.M.T.SHEEBA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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APPENDIX

- P1: PHOTOSTAT COPY OF THE NOTICE NO.1038/DOT/EM/2010 DATED 07.02.2011 ISSUED BY THE 3RD RESPONDENT.**
- P2: PHOTOSTAT COPY OF RECOVERY NOTICE DATED 26.02.2015 ISSUED BY THE 5TH RESPONDENT.**
- P3: PHOTOSTAT COPY OF THE APPEAL FILED BY THE PETITIONERS.**

NIL

//TRUE COPY//

P.S. TO JUDGE

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A. MUHAMED MUSTAQUE, J

W.P.(C).No. 23772 of 2015

Dated this the 12th day of August, 2015

JUDGMENT

The petitioner challenging Ext.P1 & P2 notice preferred an appeal before the 2nd respondent under Rule 49 of Kerala Minor Minerals Concession rules, 1967. The only limited prayer before this Court is that early disposal of Ext.P3 statutory appeal.

2. Considering the above, there shall be a direction to the respondents to dispose an appeal within three months after issuing notice to the petitioner. Till the disposal of the appeal, the recovery proceedings shall be deferred.

The writ petition is disposed of as above. No costs.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE