

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

WP(C).No. 25699 of 2015 (J)

PETITIONER(S):

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SHAJU, AGED 44 YEARS  
S/O. CHOONDAKATTIL DEVASSY, PUDUKKAD  
MUKUNDAPURAM TALUK, THRISSUR-680 301.

BY ADVS.SRI.PRAVEEN K. JOY  
SRI.NIXON PAUL

RESPONDENT(S):

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1. ALAGAPPANAGAR GRAMA PANCHAYATH COUNCIL  
ALAGAPPANAGAR P.O., THRISSUR  
REPRESENTED BY ITS PRESIDENT.
  2. THE SECRETARY  
ALAGAPPANAGAR GRAMA PANCHAYATH, ALAGAPPANAGAR P.O.  
THRISSUR.
  3. THE CHAIRMAN  
AIR AND WATER APPELLATE AUTHORITY  
DEVI KRIPA BUILDING, TC 13/29(8), 2ND FLOOR  
KANNAMMOOLA, PETTAH, THIRUVANANTHAPURAM-695 024.
  4. ENVIRONMENTAL ENGINEER  
KERALA STATE POLLUTION CONTROL BOARD  
DISTRICT OFFICE, THRISSUR 680 301
  5. THE GEOLOGIST  
DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY  
MINI CIVIL STATION, THRISSUR-680 020.
  6. SENIOR TOWN PLANNER  
SENIOR TOWN PLANNING OFFICE, THRISSUR - 680 301.
  7. STATE IMPACT ENVIRONMENTAL ASSESSMENT AUTHORITY  
KERALA, REPRESENTED BY ITS CHAIRMAN, PALLIMUKKU  
PETTA P.O., THIRUVANANTHAPURAM - 695 001

8. REVENUE DIVISIONAL OFFICER  
THRISSUR DISTRICT - 680 301

9. TAHSILDAR  
MUKUNDAPURAM TALUK, THRISSUR - 680 301

10. ALPHONSA JAMES  
PROPRIETOR, KUNDUPARAMBIL METAL PRODUCTS, MANAMPETTA  
VARAKKARA P.O., AMBALLUR, THRISSUR-682 035.

R2 BY ADV. SRI.K.S.BHARATHAN

R2 BY ADV. SMT.S.ANJUSHA

R4 BY ADV. SRI.B.C.MENON

R10 BY ADV. SRI.T.M.CHANDRAN

R BY SENIOR GOVERNMENT PLEADER SMT.ANITHA RAVINDRAN.

R BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BOARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
02-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : COPY OF THE CERTIFICATE ISSUED BY ASSISTANT INDUSTRIES OFFICER,  
MUKUNDAPURAM.

P2 : COPY OF THE CONSENT TO OPERATE DTD.18.3.2013 AND VALID UPTO  
30.6.2015 OF THE KERALA STATE POLLUTION CONTROL BOARD.

P3 : COPY OF THE BUILDING PERMIT DTD.17.12.2014 OF THE ALAGAPPANAGAR  
GRAMA PANCHAYATH.

P4 : COPY OF THE PLAN SUBMITTED BY THE 10TH RESPONDENT BEFORE THE  
POLLUTION CONTROL BOARD.

P5 : THE PETITIONER IS PRODUCING THE TRUE PHOTOCOPY OF THE LETTER  
DTD.13.5.2015 OF DISTRICT COLLECTOR, THRISSUR.

P6 : COPY OF THE LETTER DTD.28.7.2015 OF THE PANCHAYATH DIRECTOR,  
TRIVANDRUM.

P7 : COPY OF THE POSSESSION CERTIFICATE DTD.11.2.2015 OF AMBALLUR  
VILLAGE.

P8 : COPY OF THE APPEAL PETITION BEFORE THE 1ST RESPONDENT.

P9 : COPY OF THE OBJECTION BEFORE THE 2ND RESPONDENT.

P10 : COPY OF THE CONSENT TO ESTABLISH GRANTED TO 10TH RESPONDENT BY  
THE POLLUTION CONTROL BOARD.

P11 : COPY OF THE NOTICE DTD.1.6.2015 ISSUED TO DISTRICT COLLECTOR,  
THRISSUR.

P12 : COPY OF THE APPEAL BEFORE THE 3RD RESPONDENT.

P13 : COPY OF THE LETTER DTD.12.6.2015 OF SALE TAX OFFICE, IRINJALAKUDA.

P14 : COPY OF THE CIRCULAR DTD.24.11.2009 OF THE POLLUTION CONTROL  
BOARD.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

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W.P (C) No.25699 of 2015  
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Dated this the 2<sup>nd</sup> day of September, 2015

J U D G M E N T

The petitioner confines his relief to an early consideration of Ext.P9 objection filed to Ext.P3 permit and Ext.P12 appeal filed against Ext.P10 consent.

2. I direct the second respondent to consider Ext.P9 objection filed to Ext.P3 permit within a period of one month. Needless to say that the petitioner, tenth respondent and other affected parties shall be put on notice and heard in the exercise.

3. There will also be a direction to the third respondent to dispose of Ext.P12 appeal filed against Ext.P10 consent within a period of two months. The petitioner, the tenth respondent and other affected parties shall be put on notice and heard in the exercise.

The writ Petition is disposed of.

Sd/-  
V.CHITAMBARESH,  
Judge.

nj.