

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C).No. 25754 of 2015 (T)

PETITIONER(S) :

**P.C.SYED MOHAMMED, AGED 86 YEARS,
SON OF CHEKKUTTY, MANAGING PARTNER,
CRESCENT GRANITE PRODUCTS, OLD LAKKIDI, AKALLOOR P.O.,
PALAKKAD-679 302.**

**BY ADVS.SRI.SANTHEEP ANKARATH
SRI.Y.JAFAR KHAN**

RESPONDENT(S) :

- 1. KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O.,
THIRUVANANTHAPURAM-695 004.**
- 2. THE SENIOR ENVIRONMENTAL ENGINEER,
DISTRICT OFFICE, KERALA STATE POLLUTION CONTROL BOARD,
PALAKKAD-678 001.**

BY ADV. SRI. M.AJAY, S.C

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 03-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1 : TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED TO THE PETITIONER BY THE MEMBER SECRETARY, KERALA STATE POLLUTION CONTROL BOARD AND DATED 18.07.1992.**
- P2 : TRUE COPY OF THE PERMISSION TO PAY TAX UNDER COMPOUNDING SCHEME AND DATED 11.08.2014 ISSUED BY COMMERCIAL TAXES DEPARTMENT.**
- P3 : TRUE COPY OF THE 'CONSENT TO OPERATE' DATED 23.06.2015 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.**
- P4 : TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER TO 1ST RESPONDENT DATED 01.04.2015.**
- P5 : TRUE COPY OF ORDER NO.PCB/HO/PLKD/COMP/7520/10 DATED 13.07.2015 ISSUED BY THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.25754 of 2015

Dated this the 3rd day of September, 2015

JUDGMENT

The petitioner approached the Pollution Control Board to vary the consent alleging typographical error in an application.

2. The stand of the Pollution Control Board is that it is not a typographical error and it is only a change of production capacity.

In that view of the matter, this Court is of the view that the petitioner shall file an application for fresh consent to vary the production capacity. If such application is filed, the same shall be considered without any delay, at any rate, within one month from the date of receipt of such application.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In