

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 26400 of 2015 (Y)

PETITIONER(S):

V.SADASIVAN NAIR, AGED 59 YEARS
S/O. VELAYUDHAN PILLAI
RESIDING AT CHILAKAMPARAMELEL PUTHENVEEDU
VAZHAPPALLY EAST, CHANGANACHERRY
KOTTAYAM DISTRICT PIN 686 103

BY ADVS.SRI.S.JAYAKRISHNAN
SRI.S.PARAMESWARA PRASAD

RESPONDENT(S):

1. THE DISTRICT COLLECTOR
KOTTAYAM PIN 686 001
2. THE ENVIORNMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE, KOTTAYAM PIN 686 001
3. CHANGANACHERRY MUNICIPALITY
REPRESENTED BY ITS SECRETARY
CHANGANACHERRY PIN 686 101

R BY GOVERNMENT PLEADER SMT.SANJEETHA.
R BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BOARD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26400 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF PROFESSIONAL TAX RECEIPT DATED 06-08-1984
ISSUED BY THE LOCAL AUTHORITY

EXHIBIT P1(A) TRUE COPY OF PROFESSIONAL TAX RECEIPT DATED 01-07-1988
ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER

EXHIBIT P2 TRUE COPY OF RECEIPT OF PAYMENT OF FEES FOR THE RENEWAL OF
LICENSE IN THE YEAR 2015-2016 DATED 31-03-2015 ISSUED BY THE
3RD RESPONDENT

EXHIBIT P3 TRUE COPY OF THE BASIC TAX RECEIPT DATED 08-08-2015

EXHIBIT P4 TRUE COPY OF NOTICE NO. H1-7011/15 DATED 11-05-2015 ISSUED BY
THE 3RD RESPONDENT TO THE PETITIONER

EXHIBIT P5 TRUE COPY OF NOTICE NO. H1-7011/15 DATED 01-07-2015 ISSUED BY
THE 3RD RESPONDENT TO THE PETITIONER

EXHIBIT P6 TRUE COPY OF THE REPLY DATED 04-07-2015 FILED BY THE PETITIONER
BEFORE THE 3RD RESPONDENT

EXHIBIT P7 TRUE COPY OF RECEIPT DATED 10-08-2015 OF CONSENT APPLICATION
AND ITS FEES ISSUED BY THE 2ND RESPONDENT

EXHIBIT P8 TRUE COPY OF REPRESENTATION DATED 20-08-2015 FILED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.26400 of 2015

Dated this the 1st day of September, 2015

J U D G M E N T

The workshop of the petitioner has been directed to the closed by Ext.P5 notice of the third respondent Municipality. It is so done on the premise that the petitioner has not hitherto produced the consent to operate from the Kerala State Pollution Control Board.

2. The petitioner laments that his application for consent to operate has been pending for long and that the same is followed by Ext.P8 representation. I direct the second respondent to consider the application for consent to operate as well as Ext.P8 representation within two weeks.

3. The petitioner is also free to move the third respondent Municipality for a breathing time to produce the consent to operate and for permission to conduct the workshop in the meanwhile. Ext.P6 representation put in this regard shall also be considered by the third respondent Municipality on production of this judgment.

4. The petitioner shall produce a copy of this

judgment along with a copy of the writ petition before the third respondent for compliance.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.