

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 4TH DAY OF SEPTEMBER 2015/13RD BHADRA, 1937

WP(C).No. 26729 of 2015 (M)

PETITIONERS :

- 1. THANKAMMA. M.G., AGED 64 YEARS,
D/O. GOVINDAN NAIR, PONNU'S HOUSE, CHITTOOR ROAD,
KAMBILICHUNGAM, NALLEPPILLI P.O., PALAKKAD.**
- 2. LAYA THOMAS @ SNEHA JAISON,
MANAGING PARTNER, 'LIVE IN STYLE', WOOD INDUSTRIES,
MANTHOTTATHIL HOUSE, VATTAMPOTTA, THEKKEDESOM P.O.,
KAMBILICHUNGAM, CHITTOOR, PALAKKAD.**

BY ADV. SRI.M.C.JOHN

RESPONDENTS :

- 1. THE CHIEF CONSERVATOR OF FORESTS
(SPECIAL AFFORESTATION) & NODAL OFFICER,
FOREST HEAD QUARTERS, VAZHUTHACAUD
THIRUVANANTHAPURAM-695 014.**
- 2. THE DIVISIONAL FOREST OFFICER,
NEMMARA DIVISION, NEMMARA, PALAKKAD DISTRICT-678 508.**

BY SPL. GOVT. PLEADER SRI.M.P.MADHAVANKUTTY,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE LICENCE NO.132/01-02 DTD.28.12.2001 ISSUED BY THE PANCHAYAT.
- P2 : COPY OF THE ORDER NO.A3-5335/2006 DTD.30.11.2006 ISSUED BY THE 2ND RESPONDENT.
- P3 : COPY OF THE NOC NO.FC3-3885/2008 DTD.16.6.2010 ISSUED BY THE 1ST RESPONDENT.
- P4 : COPY OF THE POSSESSION CERTIFICATE NO. 4632/2010 DTD.3.11.2010 ISSUED BY THE VILLAGE OFFICER TO THE 2ND PETITIONER.
- P4(A): COPY OF THE OWNERSHIP CERTIFICATE NO.10755/10 DTD.6.12.2010 ISSUED BY THE NALLEPPILLY GRAMA PANCHAYAT.
- P5 : COPY OF THE APPLICATIONS DTD.10.2.2011 FOR TRANSFER OF OWNERSHIP OF THE SAW MILL IN THE NAME OF THE 2ND PETITIONER.
- P6 : COPY OF THE CONSENT LETTER DTD.10.1.2011 SUBMITTED BY 1ST PETITIONER.
- P7 : COPY OF THE APPLICATION DTD.16.9.2014 IN FORM NO.VI UNDER RULE 15 OF THE RULES TO THE 2ND RESPONDENT DIRECTLY.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A.TO JUDGE

bp

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 26729 of 2015

Dated this the 04th day of September, 2015

JUDGMENT

The 1st petitioner is the holder of a licence (NOC) from the 1st respondent for her saw mill established as seen from Ext.P3. The 1st petitioner transferred the land along with the saw-mill to the 2nd petitioner. Both of the have filed the application for transfer of ownership of the saw mill in the name of the 2nd petitioner. Exts.P5 and P6 are the applications.

2. These transfer is before the Kerala Forest (Regulation of Saw Mill and Other Wood Based Industrial Units) Rule 2012. As per the above Rules, the 2nd respondent is the competent authority to consider Exts.P5 and P6.

3. In that view of the matter, the 1st respondent is directed to transmit the application submitted by the petitioner as per Exts.P5, P6 & P7 to the 2nd respondent within a period of two weeks from the date of receipt of a copy of

this judgment. Thereafter, the 2nd respondent shall take appropriate decision thereon within a period of one month from the receipt of Exts.P5, P6 and P7 from the 1st respondent after hearing the petitioner. Ext.P7 is the application submitted before the 2nd respondent after the Rules.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE

bpr