

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

WP(C).No. 27137 of 2015 (N)

PETITIONER(S):

PREETH M, AGED 38 YEARS,
S/O.MURALEEDHARAN R, RESIDING AT ASWATHY BHAVAN,
MACHEL PO, THIRUVANANTHAPURAM 695571.

BY ADVS.SRI.P.G.SURESH
SRI.G.SUDHEER (THURAVOOR)
SRI.RAJAN VISHNURAJ
SRI.V.HARISH

RESPONDENT(S):

1. MINISTRY OF ENVIRONMENT AND FORESTS
PARYAVARAN BHAVAN, CGO COMPLEX, LODHI ROAD
NEW DELHI 110003, REPRESENTED BY ITS SECRETARY

2. THE STATE OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE, SECRETARIAT
THIRUVNANTHAPURAM 695001

3. THE COMMISSINER OF LAND REVENUE
LAND REVENUE COMMISSIONERATE, PUBLIC OFFICE BUILDING
OPPOSITE MUSEUM, VIKAS BHAVAN PO
THIRUVNANATHAPURAM 695010

4. THE DISTRICT COLLECTOR
COLLECTORATE, THIRUVANANTHAPURAM 695043

5. THE GEOLOGIST
DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY
THIRUVANANTHAPURAM 695033

6. KERALA STATE POLLUTION CONTROL BOARD
HEAD OFFICE, THIRUVANANTHAPURAM 695004
REPRESENTED BY ITS CHIRMAN

7. ARUN VARGHESE
MANAGING DIRECTOR
M/S.KK.ROACK AND GRANITE INDIA PVT. LTD., KOTTAKKAL
TC.2/3497, PATTOM, THIRUVANANTHAPURAM 695004

R7 BY ADV. SRI.BECHU KURIAN THOMAS (SR.)
R7 BY ADV. SRI.PAUL JACOB (P)
R7 BY ADV. SRI.ENOCH DAVID SIMON JOEL
R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL OF INDIA
R2 TO R5 BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN
R6 BY SRI. M.AJAY, SC, KERALA STATE POLLUTION CONTROL BO

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

P1:A TRUE PHOTOCOPY OF THE PERMIT DATED 17.06.2015 ISSUED BY THE 5TH RESPONDENT
P2:A TRUE PHOTOCOPY OF THE LETTER DATED 22.11.2011 BY THE 4TH RESPONDENT TO THE 3RD RESPONDENT
P3:A TRUE PHOTOCOPY OF THE LETTER DATED 31.03.2012 BY THE 4TH RESPONDENT TO THE 3RD RESPONDENT
P4:A TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT TO THE 3RD AND 4TH RESPONDENTS
P5:A TRUE PHOTOCOPY OF THE LETTER DATED 24.04.2015 BY THE 4TH RESPONDENT TO THE 2ND RESPONDENT
P6:A TRUE PHOTOCOPY OF THE GAZETTE NOTIFICATION NO. SO.394(E) DATED 16.04.1987 ISSUED BY THE 1ST RESPONDENT
P7:A TRUE PHOTOCOPY OF THE GO(RT) NO.1222/2010/ID DATED 21.08.2010 ISSUED BY THE ADDITIONAL CHIEF SECRETARY TO THE GOVERNMENT INDUSTRIES DEPARTMENT
P8:A TRUE PHOTOCOPY OF THE REPORT BY THE DEPUTY SUPERINTENDENT OF POLICE DATED 09.10.2012 UPON THE COMPLAINT
P9:A TRUE PHOTOCOPY OF THE COMPLAINT DATED 25.05.2015 PREFERRED BEFORE THE RESPONDENTS NO.2

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

vgs

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 27137 of 2015

Dated this the 22nd day of September, 2015

J U D G M E N T

The petitioner approached this Court challenging the operation of quarry by the seventh respondent. It is submitted by the seventh respondent that he possesses quarrying permit-Ext.P1. It appears that permit has been granted to the seventh respondent without obtaining necessary environmental clearance. If the seventh respondent did not obtain environmental clearance, the fifth respondent should ensure that activities of the seventh respondent based on Ext.P1 are stopped forthwith. All other issues raised in the writ petition are left open.

The writ petition is disposed of as above.

sd/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

