

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE AG.CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE**

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 27401 of 2014 (A)

PETITIONER :

**M.K.N.ROCKS (A UNIT OF GOOD LINE REALTORS (P) LTD).
VALLIYAVAYAL, VATTAKARIKKAKOM P.O, CHAKKAMALA, KOLLAM
REPRESENTED BY ITS MANAGING DIRECTOR,
MR. M.K NASSARUDEEN MUSLIAR**

**BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.S.SREEDEV
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN**

RESPONDENTS :

- 1. COMMISSIONER OF POLICE,
KOLLAM 691 001**
- 2. CIRCLE INSPECTOR OF POLICE, KADAKKAD,KOLLAM 691 312**
- 3. SUB INSPECTOR OF POLICE,
KADAKKAD POLICE STATION, KOLLAM 691 312**
- 4. NASEER
S/O.MUSTHAFA, VALIYA VAYAL, VATTAKARIKKAKOM,
THIRUVANANTHAPURAM 695 562**
- 5. SANAL KUMAR,
S/O.SASHIDARAN, THADIKARITH HOUSE, VATTAKARIKKAKOM,
THIRUVANANTHAPURAM 695 562**

**R1 TO R3 BY GOVERNMENT PLEADER SRI. C.R. SYAMKUMAR
R4 BY ADVS. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE CONSENT ISSUED BY THE POLLUTION CONTROL BOARD VALID TILL 11-03-2015 FOR OPERATING A CRUSHER UNIT.

EXHIBIT P2: TRUE COPY OF THE REPORT DATED 20-03-2012 SUBMITTED BY THE SECRETARY OF THE CHITHARA PANCHAYAT.

EXHIBIT P2(A): TRUE ENGLISH TRANSLATION OF EXT.P2.

EXHIBIT P3: TRUE COPY OF THE ORDER DTD 24-03-2014 ISSUED BY THE SECRETARY OF THE CHITHARA PANCHAYAT.

EXHIBIT P3(A): TRUE ENGLISH TRASLATION OF EXT.P3.

EXHIBIT P4: TRUE COPY OF THE COMPLAINT DTD 07-10-2014 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXHIBIT P4(A): TRUE ENGLISH TRANSLATION OF EXT.P4.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

ASHOK BHUSHAN, Ag.C.J.

&

A.M. SHAFFIQUE, J.

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Dated this the 11th day of February, 2015

JUDGMENT

A.M.Shaffique, J.

This petition is filed seeking for police protection for construction of a crusher unit. An interim order has already been granted by this Court on 21.10.2014. No objection is filed by the respondents so far.

2. Having regard to the fact that the petitioner has already started construction and there is no untoward incident reported, we do not think that there is any necessity to pass any further order in this regard.

3. However, by the interim order, this Court had mentioned that the functioning of the crusher unit shall be commenced only after obtaining further orders from the Court. After constructing the crusher unit, the petitioner is entitled to operate the same, after obtaining

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all necessary permission/licence from the competent authority. Petitioner can move this Court, if there is any further obstruction from the party respondents.

With the above observation, this writ petition is disposed of.

Sd/-
ASHOK BHUSHAN,
ACTING CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE
JUDGE

das