

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 27258 of 2015 (F)

PETITIONER(S):

1. **K.ASHRAF, AGED 46 YEARS,
S/O.MOIDEEN, KALATHIL HOSUE,
P.O.KOTTAKKAL, CHANKUVETTY,
MALAPPURAM DISTRICT.**
2. **MUHAMMED PARAMBAN,
S/O.ABDU RAHIMAN, PARAMBAN HOUSE,
P.O.KOTTAKKAL, CHANKUVETTY,
MALAPPURAM DISTRICT.**
3. **SHAJIMON PUNNAKODAN,
S/O.LATE MOOSA HAJI, P.O.EDARIKODE,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.K.RAMACHANDRAN
SMT.AMBILY (PREMKUMAR)**

RESPONDENT(S):

1. **DISTRICT COLLECTOR, MALAPPURAM DISTRICT,
COLLECTORATE, MALAPPURAM DISTRICT, PIN - 676 505.**
2. **THE KOTTAKKAL MUNICIPALITY,
MALAPPURAM DISTRICT, PIN - 676 505.**
3. **THE SECRETARY, KOTTAKKAL MUNICIPALITY,
MALAPPURAM DISTRICT, PIN - 676 505.**
4. **KERALA STATE POLLUTION CONTROL BOARD,
THIRUVANANTHAPURAM, BRANCH AT MALAPPURAM - 676 505.**
5. **DR.AHAMMED KABEER, S/O.MUHAMMED @ OF BAVA,
PUTHUKKIDY HOUSE, P.O.KOTTAKKAL,
MALAPPURAM DISTRICT,
THE MANAGING DIRECTOR, ALMAS HOSPITAL,
CHANKUVETTY, KOTTAKKAL, PIN - 676 505.**

**R1 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R2 & R3 BY ADV. SRI.ESM.KABEER
R4 BY ADV. SRI. M.AJAY, SC**

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

msv/

WP(C).No. 27258 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: THE TRUE COPY OF THE COMPLAINT DTD.26.8.2015 FILED BY THE PUBLIC
BEFORE THE 1ST RESPONDENT.**

**EXT.P2: THE TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS
BEFORE THE 1ST RESPONDENT.**

**EXT.P3: THE TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT
DTD.31.8.2015 OFFICE.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv**/**

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.27258 of 2015

Dated this the 9th day of September, 2015.

J U D G M E N T

The petitioners had approached the respondents 1 to 4 complaining pollution and nuisance caused by the hospital being run by the 5th respondent.

2. In view of the above complaint, there shall be a direction to the 4th respondent to immediately conduct an inspection in the premises of the 5th respondent. If the operation of the hospital causes any nuisance to the petitioners, necessary action shall be taken to abate the nuisance. If the pollution and nuisance is not abated, necessary action shall be taken by respondents 1 to 4, to stop the activities of the 5th respondent.

The writ petition is disposed of accordingly.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge