

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 23RD DAY OF SEPTEMBER 2015/1ST ASWINA, 1937

WP(C).No. 28280 of 2015 (H)

PETITIONER(S):

1. MOHANAN PILLAI, AGED 53 YEARS,
S/O. JANARDHANAN PILLAI, MOHANAVILASOM, THAMARAKULAM,
MAVELIKKARA, ALAPPUZHA.
2. MUHAMMED IQBAL, AGED 52 YEARS,
S/O. SUBAIR, MURIKKASSERIL VEETIL, VALLIKKUNNAM,
MAVELIKKARA.
3. MUHAMMED HABEEB, AGED 52 YEARS,
S/O. MUHAMMED KUNJU, VALLIKKUNNAM, MAVELIKKARA.

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S):

1. DISTRICT POLICE CHIEF,
DISTRICT POLICE CHIEF OFFICE,
ALAPPUZHA, PIN-688 001.
2. INSPECTOR OF POLICE,
CIRCLE OFFICE, MAVELIKKARA, ALAPPUZHA,
PIN-690,101.
3. SUB INSPECTOR OF POLICE,
NOORANADU POLICE STATION, NOORANADU,
ALAPPUZHA, PIN-690,504.
4. VASUDEVAN PILLAI,
PRASHANTH BHAVANAM, KIZHAKKEMURI, THAMARAKULAM,
ALAPPUZHA, PIN-690 530.

msv/

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5. VIJAYAN PILLAI,
S/O. RAMAN PILLAI, VALLIAYYATHU, PANAYIL,
PALAMEL, ALAPPUZHA, PIN-690 504.
6. RAJAN PILLAI,
S/O. RAMAN PILLAI, VALLIAYYATHU, PANAYIL,
PALAMEL, ALAPPUZHA, PIN-690 504.
7. SATHIYAMMA,
W/O. BHASKARAN PILLAI, MANOJ BHAVANAM, KIZHAKKUM MURI,
THAMARAKULAM, ALAPPUZHA, PIN-690 530.

R1-R3 BY STATE ATTORNEY SRI.P.VIJAYARAGHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
23-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

msv/

WP(C).No. 28280 of 2015 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1- COPY OF THE CLEARANCE CERTIFICATE ISSUED BY THE
ENVIRONMENTAL AUTHORITIES.**

EXHIBIT P2- COPY OF THE PERMIT ISSUED BY THE GEOLOGIST.

**EXHIBIT P3- COPY OF THE COMPLAINT BEFORE THE 3RD RESPONDENT WITH
TRANSLATION.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms^v/

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 28280 of 2015

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Dated this, the 23rd day of September, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioners and the learned State Attorney appearing for respondents 1, 2 and 3. No notice is being issued to respondents 4 to 7 in view of the judgment which is being passed.

2. Petitioners by this writ petition have prayed for a direction to respondents 1 to 3 to grant adequate protection for cutting laterite stone from the petitioners' property in accordance with Exts.P1 and P2 from the threats of respondents 4 to 7. Petitioners' case is that 1st petitioner has already obtained Ext.P1 environmental clearance dated 18th April, 2015 and Ext.P2 licence dated 14/9/2015. But the private respondents are unduly creating obstruction for removal of the laterite stone.

3. Learned State Attorney after obtaining instructions submits that after receipt of the complaint from the petitioners,

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-:2:-

private respondents were summoned and they have been warned that no obstruction shall be created. It is further submitted that if there is any law and order situation, police will intervene in the matter.

Recording the aforesaid statement, we close the writ petition.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp
23/09/2015

//True Copy//

PS to Judge