

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 28330 of 2015 (M)

PETITIONER :

**M/S. KINATTUKARA METAL CRUSHER
CHENGARA P.O., PULLUMEDU, UDUMBANCHOLA
REPRESENTED BY ITS MANAGING PARTNER K.J.THOMAS**

**BY ADVS.SRI.PHILIP J.VETTICKATTU
SRI.B.PREMNATH**

RESPONDENT(S) :

- 1. THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE, IDUKKI, ESSAREN BUILDING
AANAKOODU JUNCTION, THODUPUZHA, IDUKKI-685584.**
- 2. KERALA STATE POLLUTION CONTROL BOARD,
PATTOM P.O., THIRUVANANTHAPURAM-695004
REPRESENTED BY ITS CHAIRMAN.**

R1 & R2 BY ADV. SRI. M.AJAY, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1. TRUE COPY OF CONSENT TO OPERATE ISSUED BY THE RESPONDENTS TO THE PETITIONER UNIT.
- EXT. P2. TRUE COPY OF NOC DATED 5-2-2015 ISSUED BY THE DISTRICT MEDICAL OFFICER TO THE PETITIONER UNIT.
- EXT. P3. TRUE COPY OF LICENSE ISSUED BY THE FACTORIES& BOILERS DEPARTMENT TO THE PETITIONER UNIT.
- EXT. P4. TRUE COPY OF LICENSE DATED 10-4-2015 ISSUED BY THE AYYAPPANKOVIL PANCHAYAT.
- EXT. P5. TRUE COPY OF CERTIFICATE OF REGISTRATION DATED 14-5-2015 ISSUED BY THE TAX AUTHORITIES.
- EXT. P6. TRUE COPY OF CERTIFICATE OF REGISTRATION ISSUED BY THE DEPARTMENT OF MINING & GEOLOGY.
- EXT. P7. TRUE COPY OF ACKNOWLEDGMENT ISSUED FROM THE OFFICE OF THE DISTRICT INDUSTRIES CENTRE, IDUKKI.
- EXT. P8. TRUE COPY OF NOTICE DATED 31-8-2015 ISSUED BY THE 1ST RESPONDENT.
- EXT. P9. TRUE COPY OF LETTER DATED 7-9-2015 SUBMITTED BY THE PETITIONER REQUESTING TIME.
- EXT. P10. TRUE COPY OF APPLICATION SUBMITTED BY THE PETITIONER FOR CONSENT TO OPERATE THE REPLACED MACHINES.
- EXT. P11. TRUE COPY OF DEMAND DRAFT FOR RS. 70,000/- DATED 15-9-2015 GIVEN BY THE PETITIONER ALONG WITH EXT.P10.
- EXT. P12. TRUE COPY OF OBJECTION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.
- EXT. P13. TRUE COPY OF LIST OF SURVEY NUMBERS WHICH ARE INCLUDED AS ESA OBTAINED FROM THE WEBSITE OF THE BIO-DIVERSITY BOARD.
- EXT. P14. TRUE COPY OF NOTIFICATION DATED 10-3-2014 ISSUED BY THE MINISTRY OF ENVIRONMENT AND FOREST.
- EXT. P15. TRUE COPY OF NOTIFICATION DATED 4-9-2015 ISSUED BY THE MINISTRY OF ENVIRONMENT AND FOREST.
- EXT. P16. TRUE COPY OF JUDGMENT DATED 2-9-2015 IN WPC NO. 19618/2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.28330/2015

Dated this the 29th Day of September, 2015

J U D G M E N T

The writ petition is closed leaving open all the issues.

Sd/-

(A.MUHAMED MUSTAQUE, JUDGE)

ms

\\True copy//

P.S to Judge