

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 28TH DAY OF SEPTEMBER 2015/6TH ASWINA, 1937

WP(C).No. 28868 of 2015 (G)

PETITIONER(S) :

**ELDHOSE MATHEW, AGED 34 YEARS,
S/O.MATHAI, MARIYALIL, ADIMALI P.O.,
MANNAMKANDAM VILLAGE, DEVIKULAM TALUK,
IDUKKI DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S) :

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ALAPPUZHA DISTRICT, PIN- 682 030.**
- 2. THE DIRECTOR ,
MINING AND GEOLOGY, OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM- 695 001.**
- 3. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT INDUSTRIES
DEPARTMENT, GOVERNMENT OF KERALA, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM- 695 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 28868 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: TRUE COPY OF THE DEALERS LICENSE DATED 01/04/2014 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.**
- P2: TRUE COPY OF THE APPLICATION DATED 28/03/2015 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT.**
- P3: TRUE COPY OF THE INTERIM ORDER OF THIS HONOURABLE COURT DATED 24/06/2014 IN WRIT APPEAL NO.166 OF 2014.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 28868 of 2015

Dated this the 28th day of September, 2015

J U D G M E N T

Petitioner approached the first respondent by Ext.P2, for renewal of dealer's licence for the period 2015-16. The petitioner is dealing in weathered sand. He relies on the Division Bench judgment of this Court in W.A.No.479 of 2014 and connected cases, wherein this Court held that weathered rock and weathered sand cannot be treated as ordinary earth.

This Court is of the view that the application of the petitioner shall be considered, in the light of the judgment of this Court in W.A.No.479 of 2014 and connected cases, within a period of two weeks from the date of receipt of a copy of this judgment. This writ petition is disposed of as above.

SD/-

A.MUHAMED MUSTAQUE,
Judge

MBS/

