

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN**

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 29891 of 2014 (J)

PETITIONER :

**ISMAIL, AGED 42 YEARS
S/O.ABOOBACKER, MANAGING DIRECTOR
SILVER STAR STEELS, NEDUMTHOD, MUDICKEL P.O.,
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.C.A.NAVAS
SRI.T.K.SASIKUMAR
SRI.SHAJI SAMAD P.A.
SRI.V.S.AFSAL KHAN**

RESPONDENT(S) :

- 1. DEPUTY SUPERINTENDENT OF POLICE
PERUMBAVOOR, ERNAKULAM DISTRICT – 683 547.**
- 2. CIRCLE INSPECTOR OF POLICE,
PERUMBAVOOR, ERNAKULAM DISTRICT – 683 547.**
- 3. SUB INSPECTOR OF POLICE,
PERUMBAVOOR, ERNAKULAM DISTRICT-683 547.**
- 4. ABDUL KHADER
S/O. LATE SULAIMAN, MALETHAN HOUSE, EDUMTHOD
MUDICKEL P.O., PERUMBAVOOR,
ERNAKULAM DISTRICT- 683 547.**

**R1 TO R3 BY SR. GOVT. PLEADER SRI.P.I. DAVIS
R4 BY ADV. SRI.M.S.BREEZ**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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...2/-

WP(C).No. 29891 of 2014 (J)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1 PHOTOSTAT COPY OF THE CONSENT TO OPERATE CERTIFICATE
NO.PCB/EKM/DO2/IAO-313/2014 DATED 14-08-2014 ISSUED BY THE
KERALA STATE POLLUTION CONTROL BOARD.**
- EXHIBIT P2 PHOTOSTAT COPY OF FIRE NOC DATED 18-09-2014 ISSUED BY THE
FIRE AND RESCUE DEPARTMENT.**
- EXHIBIT P3 PHOTOSTAT COPY OF THE CERTIFICATE NO. L.DIS (C2)-15957/14
DATED 10-10-2014 ISSUED BY THE DISTRICT MEDICAL OFFICER.**
- EXHIBIT P4 PHOTOSTAT COPY OF THE PANCHAYATH LICENSE NO. 525/14-15
DATED 21-10-2014 ISSUED BY THE VENGOLA GRAMA PANCHAYATH
(ALONG WITH TRANSLATION).**
- EXHIBIT P5 PHOTOSTAT COPY OF THE COMPLAINT DATED 02-11-2014 TOGETHER
WITH ACKNOWLEDGMENT RECEIPT (ALONG WITH TRANSLATION).**
- EXHIBIT P6 PHOTOSTAT COPY OF THE COMPLAINT DATED 05-11-2014 TOGETHER
WITH ACKNOWLEDGMENT RECEIPT (ALONG WITH TRANSLATION).**

RESPONDENT(S)' EXHIBITS : **NIL**

//TRUE COPY//

P.S. TO JUDGE

Mn

ASHOK BHUSHAN, C.J. & K.RAMAKRISHNAN, J.

W.P.(C)No. 29891 OF 2014

Dated this the 15th day of December, 2015

JUDGMENT

Ashok Bhushan, C.J.

Heard learned counsel for the petitioner, learned Government Pleader as well as learned counsel appearing for the 4th respondent.

2. This writ petition has been filed seeking police protection with regard to the obstruction made by the 4th respondent and other persons in operating the petitioner's unit namely M/s.Silver Star Steels.

3. From the materials brought on record it is clear that the consent from Pollution Control Board was valid up to 30.06.2015 and more so the permission granted by the Panchayat was also limited to 31.03.2015. Learned counsel for the 4th respondent submits that the Panchayat has already suspended the license. Learned counsel for the petitioner submits that the request for renewal of the license has been submitted.

4. Be that as it may, from the pleadings on record it does appear that consent and license were run out. We do not think that any direction need be issued in this writ petition.

5. Learned Senior Government Pleader submits that there is no law and order situation as on date. Accordingly, we only observe that in the event the petitioner had valid licenses and permission and if there is any further cause of action, it shall be open for the petitioner to file appropriate complaint before the police authorities.

With the above observation the Writ Petition is closed.

**Ashok Bhushan,
Chief Justice.**

**K. Ramakrishnan,
Judge.**