

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

WP(C).No. 29917 of 2014 (L)

PETITIONER(S) :

1. JOSH Y MELAYIL T. A. AGED 45 YEARS
THARAKAN HOUSE, KOONAMMUCHI P.O., THRISSUR-680504.

2. JOBY T.A.
THARAKAN HOUSE, KOONAMMUCHI P.O., THRISSUR-680504.

BY ADV. SRI.K.B.GANGESH

RESPONDENT(S) :

1. THE SUB INSPECTOR OF POLICE
GURUVAYOOR POLICE STATION, GURUVAYOOR
THRISSUR-680101.

2. T.M.THOMAS
THARAKAN HOUSE, ALOOR VILLAGE, THALAPPILLY TALUK
P.O.KOONAMMUCHI, THRISSUR-680504.

3. SIJO T.T.
S/O.T.M.THOMAS, THARAKAN HOUSE, ALOOR VILLAGE
THALAPPILLY TALUK, P.O.KOONAMMUCHI,
THRISSUR-680504.

R2 & 3 BY ADV. SRI.T.RAJASEKHARAN NAIR
BY GOVERNMENT PLEADER SRI.C.R. SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY
HEARD ON 08-01-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C).No. 29917 of 2014 (L)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT-P1:TRUE COPY OF ORDER PASSED BY
DISTRICT COLLECTOR, THRISSUR ISSUING NO
OBJECTION TO THE PETITIONERS DATED
12.03.2014.

EXHIBIT-P2: TRUE COPY OF ENVIRONMENTAL
CLEARNCE ISSUED BY THE STATE ENVIRONMENT
IMPACT ASSESSMENT AUTHORITY, KERALA TO THE
PETITIONERS ON 24.05.2014.

EXHIBIT-P3: TRUE COPY OF LETTER DATED
03.07.2014 ISSUED BY KANDANASSERY GRAMA
PANCHAYAT INTIMATING PASSING OF RESOLUTION
IN FAVOUR OF THE PETITIONERS.

EXHIBIT-P4: TRUE COPY OF PERMIT ISSUED BY
THE DEPARTMENT OF MINING AND GEOLOGY,
THRISSUR DATED 06.11.2014.

EXHIBIT-P5: TRUE COPY OF COMPLAINT
PREFERRED BY THE PETITIONERS TO THE 1ST
RESPONDENT ON 06.11.2014.

EXHIBIT-P6: TRUE COPY OF THE RECEIPT
ISSUED BY THE 1ST RESPONDENT FOR EXT.P5.

ASHOK BHUSHAN , Ag. CJ,
&
A.M.SHAFFIQUE, J.

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W.P.(C) No. 29917 of 2014 – L
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Dated this the 8th day of January, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner, the learned Government Pleader as well as the learned counsel appearing for the private respondents.

2. By this Writ Petition, petitioners are seeking a direction to the first respondent to provide adequate protection to the machineries and vehicles engaged in the ordinary earth extraction site of the petitioners, against respondents and 3. This Court passed an interim order order dated 12th November 2014. The learned counsel for the petitioners submit that permission was only till 23-11-2014 and, thereafter, they have

discontinued the operations.

3. Learned Counsel appearing for the private respondents submit that even after the expiry of the permit, the petitioners have proceeded to carry out the quarrying work.

Now, in view of the expiry of the period, the Writ Petition has virtually become infructuous. In so far as the allegation that even after expiry of the period, operations were carried out, it is for the authorities to look into the matter and take appropriate action, if required.

With this observation, this Writ Petition is closed.

Sd/- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,
JUDGE

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/truecopy/

P.S.toJudge

