

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 8TH DAY OF OCTOBER 2015/16TH ASWINA, 1937

WP(C).No. 30633 of 2015 (D)

PETITIONER(S):

**A.K. GEORGE, AGED 65 YEARS,
S/O.KUNJUVAREED, ALOOKKARAN HOUSE,
NELLAYI P.O., THRISSUR DISTRICT.**

**BY SRI.RENJITH THAMPAN, SENIOR ADVOCATE.
ADV. SMT.P.R.REENA.**

RESPONDENT(S):

- 1. KERALA STATE POLLUTION CONTROL BOARD,
EAST FORT P.O., THRISSUR, PIN- 680 007,
REP. BY ENVIRONMENTAL ENGINEER.**
- 2. THE APPELLATE AUTHORITY UNDER
AIR (PREVENTION OF CONTROL OF POLLUTION) ACT 1981,
THIRUVANANTHAPURAM, PIN- 695 001.**
- 3. MARY JOSE, KALAN HOUSE,
NELLAYI P.O., THRISSUR, PIN- 680 305.**

**R1 BY ADV. SRI. M.AJAY, SC.
R2 BY GOVT. PLEADER SMT.C.K. SHERIN.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 30633 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1- TRUE COPY OF THE MEMORANDUM OF APPEAL NO.32/2012
DATED 25.10.2012 WITHOUT ANNEXURES.
- P2- TRUE COPY OF THE JUDGMENT IN WP(C) NO.32770/2012 DATED 08.12.2014.
- P3- TRUE COPY OF THE REVIEW PETITION, IA NO.3/2015 IN APPEAL NO.32/2012.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.30633 of 2015

Dated this the 8th day of October, 2015

JUDGMENT

The petitioner is the appellant before the Air Pollution (Prevention and Control) Appellate Authority, Thiruvananthapuram. The appeal was numbered as 32/2012.

2. The appeal appears to have been disposed as though the matter has been settled between the parties. The petitioner submits that he has not consented for any settlement.

This Court is of the view that if the petitioner has not consented, very jurisdiction of passing such an order based on the consent would be vitiated. Therefore, Ext.P3 shall be considered by the Appellate Authority within a period of two months after issuing notice to the petitioner and the party respondent.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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