

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 30975 of 2015 (S)

PETITIONERS :

1. MANOJ KUMAR N.T., NADAKASHALA HOUSE,
S/O.T.P.THIRIVIKRAMAN NAIR,
RESIDING AT MAMBRA, KARUKUTHI P.O.,
PARAKKADAVU VILLAGE, ALUVA THALUK.
2. SIJO K.V., KALLAPARAMBAN HOUSE,
S/O.VARGHESE K.O.,
RESIDING AT MAMBRA, KARUKUTHI P.O.,
PARAKKADAVU VILLAGE, ALUVA THALUK.

BY ADVS.SRI.PRATHAP PILLAI
SRI.V.SHYAM

RESPONDENTS :

1. THE STATE OF KERALA, REPRESENTED BY
THE PRINCIPAL SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. THE DISTRICT COLLECTOR (THE DISTRICT MAGISTRATE),
ERNAKULAM - 682 030.
3. THE DIRECTOR OF MINING AND GEOLOGY,
THIRUVANANTHAPURAM - 695 001.
4. THE GEOLOGIST, DISTRICT OFFICE OF THE
DEPARTMENT OF MINING & GEOLOGY,
CIVIL STATION, KAKKANAD, ERNAKULAM DISTRICT - 682 030.
5. THE DIRECTOR GENERAL OF POLICE (STATE POLICE CHIEF),
POLICE HEAD QUARTERS, THIRUVANANTHAPURAM - 695 001.

R1 TO R5 BY SR.GOVERNMENT PLEADER, SRI.C.R. SYAM KUMAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1 : TRUE COPY OF THE APPLICATION DATED 18.08.2015 WITH ENGLISH TRANSLATION.

EXT.P2 : TRUE COPY OF THE APPLICATION DATED 18.08.2015 WITH ENGLISH TRANSLATION.

EXT.P3 : TRUE COPY OF THE REPORT PROVIDED BY 4TH RESPONDENT WITH ENGLISH TRANSLATION.

EXT.P4 : TRUE COPY OF THE REPORT PROVIDED BY 4TH RESPONDENT WITH ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS:

NIL

/TRUE COPY/

PA TO JUDGE

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

W.P(C). No. 30975 of 2015

Dated this the 12th day of October, 2015

JUDGMENT

Ashok Bhushan, CJ.

Heard learned counsel for the petitioner. This public interest litigation has been filed by the petitioner raising grievance against the functioning of quarries without environmental clearance.

2. The petitioner's case is that he has obtained information under the Right to Information Act which indicate that large number of quarries are running without obtaining environmental clearance.

3. Learned Government Pleader submits that the petitioner does not appear to have submitted any complaint before the second or fourth respondents and in the event any such complaint is submitted, appropriate authority shall look into the matter.

4. In the writ petition, the petitioner has not impleaded any of the quarry owners as party respondents. We are of the

view that the remedy available to the petitioner is to submit a proper complaint before the second and fourth respondents giving all relevant details, ie., for the second and fourth respondents to take appropriate action.

With this observation the writ petition is closed.

Sd/-
ASHOK BHUSHAN
CHIEF JUSTICE

Sd/-
A.M.SHAFIQUE,
JUDGE

// True copy //

SOU.