

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 31403 of 2015 (A)

PETITIONER:

**BABY THOMAS,
PURAYIDATHIL HOUSE, THIRUVAMBADI P.O.,
KOZHIKODE DISTRICT, PIN- 673 603.**

**BY ADVS.SRI.SUBHASH CYRIAC,
SMTSHEEBA JOSEPH,
SRI.BOBBYMATHEW KOOTHATTUKULAM.**

RESPONDENTS:

- 1. THE STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. MINING AND GEOLOGY DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM -695 001,
REPRESENTED BY ITS SECRETARY.**
- 3. THE TAHSILDAR, KOZHIKODE TALUK,
KOZHIKODE DISTRICT, PIN -673 020.**
- 4. THE VILLAGE OFFICER,
THIRUVAMBADI VILLAGE,
KOZHIKODE DISTRICT- 673 603.**
- 5. GEOLOGIST, DISTRICT OFFICE,
MINING AND GEOLOGY DEPARTMENT,
KOZHIKODE- 673020.**

BY GOVT.PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE TITLE DEED OF THE PETITIONER.
- EXT.P2 COPY OF THE CONSENT DEED DATED 30/06/2015 EXECUTED
INFAVOUR OF PETITIONER EXECUTED BY GEODIN K.GEORGE.
- EXT.P3 COPY OF THE CONSENT DEED DATED 30/06/2015 EXECUTED
INFAVOUR OF PETITIONER EXECUTED BY ABDUL KAREEM.
- EXT.P4 COPY OF THE CERTIFICATE DATED 10/07/2015 ISSUED BY
VILLAGE OFFICER, THIRUVAMBADY TO THE PETITIONER.
- EXT.P5 COPY OF THE CERTIFICATE DATED 10/07/2015 ISSUED BY
VILLAGE OFFICER, THIRUVAMBADY TO MR.GEODIN K.GEORGE.
- EXT.P6 COPY OF THE CERTIFICATE DATED 10/07/2015 ISSUED BY
VILLAGE OFFIER, THIRUVAMBADY TO ABDUL KAREEM.
- EXT.P7 COPY OF THE JUDGMENT IN WP(C).NO.34008/2014 AND
CONNECTED CASES DATED 07/04/2015.
- EXT.P8 COPY OF THE NOTICE DATED 24/06/2015 ISSUED BY THE
5TH RESPONDENT.
- EXT.P9 COPY OF THE APPLICATION FILED BY THE PETITIONER
BEFORE THE 3RD RESPONDENT.
- EXT.P10 COPY OF THE SKETCH.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 31403 of 2015

Dated this the 15th October, 2015

JUDGMENT

The petitioner has approached the third respondent by filing Exhibit P9 application to obtain certificate showing that the property for which quarrying permit is sought for is not included in the ecologically sensitive area limit.

In the above circumstances, this Court is of the view that a decision shall be taken on Exhibit P9 application by the third respondent after verifying the draft notification, within two weeks from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs15/10/15