

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. 31410 of 2015 (A)

PETITIONER(S):

**SANTHOSH, AGED 31 YEARS,
S/O.KRISHNANKUTTY, K.S.NIVAS, NELLEPALLY P.O.,
NELLEPALLY VILLAGE, CHITTOOR TALUK, PALAKKAD DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
PALAKKAD DISTRICT-678553.**
- 2. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MING AND GEOLOGY,
KISAVADASAPURAM, PATTAM,
THIRUVANANTHAPURAM-695001.**
- 3. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

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

PJ

WP(C).No. 31410 of 2015 (A)

APPENDIX

PETITIONERS' EXHIBITS

**P1: TRUE COPY OF THE APPLICATION DATED 22/9/15 SUBMITTED BY THE
PETITIONER BEFORE THE R1**

P2: TRUE COPY OF THE JUDGMENT DATED 16/9/15 IN WRIT APPEAL NO.183/14.

RESPONDENTS' EXHIBIT

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P(C).No. 31410 of 2015

Dated this the 15th October, 2015

JUDGMENT

The petitioner wants to have a dealer's licence for stock and sale of weathered sand. The petitioner's case is that a Division Bench of this court in W.A.No.107/2014 and connected cases held that weathered sand cannot be classified as ordinary earth, whereas it falls under item (xxvii) coming under 'Sand (others)' in the Central government notification dated 10.2.2015.

2. In that view of the matter, there shall be a direction to the first respondent to consider the application for dealer's licence in the light of the judgment in W.A.No.107 of 2014 and connected cases dated 16.9.2015 within a period of one month from the date of receipt of a copy of this judgment. If the dealer's licence is granted, necessarily OA forms shall be issued to the petitioner as well.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs15/10/15