

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 31909 of 2015 (K)

PETITIONER(S):

**K.P. JOY, S/O.LATE K.P. POULO,
AGED 57 YEARS, MANAGING DIRECTOR,
M/S.A-ONE SANDS PVT. LTD., ANNANAGAR,
CHAMMANAMPATHY, GOVINDAPURAM P.O.,
CHITTUR TALUK, PALAKKAD DISTRICT-678 507.**

**BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA,
SRI.P.TABHILASH.**

RESPONDENT(S):

- 1. GEOLOGIST,
MINING AND GEOLOGY DEPARTMENT,
TOWN BUS STAND COMPLEX, PALAKKAD-678 001.**
- 2. KERALA STATE POLLUTION CONTROL BOARD,
SRUTHI, NEAR CIVIL STATION, PALAKKAD-678 001,
REPRESENTED BY ITS ENVIRONMENTAL ENGINEER.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE QUARRYING PERMIT NO.191/GBS/DOP/2673/2014/A1/ CRPS DATED 26/11/2014 VALID UP TO 24/12/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P1A COPY OF THE QUARRYING PERMIT NO.192/GBS/DOP/2672/2014/A1/ CRPS DATED 26/11/2014 VALID UP TO 24/12/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P1B COPY OF THE QUARRYING PERMIT NO.193/GBS/DOP/2675/2014/A1/ CRPS DATED 26/11/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P1C COPY OF THE QUARRYING PERMIT NO.194/GBS/DOP/2674/2014/A1/ CRPS DATED 26/11/2014 VALID UP TO 24/12/2014 ISSUED BY THE 1ST RESPONDENT.
- EXT.P2 COPY OF THE PROCEEDING NO.PCB/RO/PLKD/ICO/21/2013 DATED 20/08/2013 OF THE KERALA STATE POLLUTION CONTROL BOARD.
- EXT.P3 COPY OF THE INTERIM ORDER DATED 31/05/2014 IN WP(C).NO.13804/2014 OF THIS HONOURABLE COURT.
- EXT.P4 COPY OF THE APPLICATION DATED 14/10/2015 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXT.P5 COPY OF THE JUDGMENT DATED 01/09/2014 IN WP(C).NO.20852/2014 OF THIS HONOURABLE COURT.
- EXT.P6 COPY OF THE ORDER DATED 16/02/2015 IN WP(C).NO.3400/2015 OF THIS HONOURABLE COURT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE,J.

W.P(C).No.31909 of 2015

Dated this the 20th October, 2015

JUDGMENT

The petitioner submits that based on the quarrying permits, Exhibits P1 to P1(c), he has quarried sufficient metal. The petitioner has now stopped the quarrying operations. The petitioner wants to transport the grantes, stones and metal already quarried. The petitioner has approached the first respondent Geologist seeking such relief.

In the above circumstances, the first respondent shall verify whether the petitioner has quarried based on the valid permit. If the petitioner has extracted the metal on valid permit, necessary O(A) forms shall be issued to the petitioner. Needful shall be done by the first respondent Geologist within two weeks from the date of receipt of a copy of this judgment, after verifying the facts and circumstances and after conducting a site inspection.

The Writ Petition is disposed of as above.

**A.MUHAMED MUSTAQUE
JUDGE**

vgs20/10/15

The words "sand and" are added before the word "metal" in the second sentence of paragraph 2 of the judgment dated 20/10/2015 in W.P(C).No.31909/2015 as per order dated 21/11/2015 in I.A.16235/2015 in W.P(C).No.31909/2015.

The order dated 21/11/2015 in I.A No.16235/2015 in W.P(C).No.31909/2015 is appended to the judgment in W.P(C) No.31909/2015.

Sd/-
REGISTRAR (JUDICIAL)