

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 32490 of 2015 (I)

PETITIONER :

**MANOJ MATHEW
CHIRAKKAL HOUSE, KUMILY P.O.,
CHELIMADA - 685509.**

**BY ADVS.SMT.A.K.PREETHA
SRI.C.ANIL KUMAR**

RESPONDENT(S) :

**1. THE KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE, IDUKKI, ESSAREN BUILDINGS
AANAKOODU JUNCTION, THODUPUZHA, IDUKKI - 685584
REPRESENTED BY ENVIRONMENTAL ENGINEER.**

**2. THE ENVIRONMENTAL ENGINEER
THE KERALA STATE POLLUTION CONTROL BOARD
DISTRICT OFFICE, IDUKKI, ESSAREN BUILDINGS
AANAKOODU JUNCTION, THODUPUZHA, IDUKKI - 685584.**

R1 & R2 BY ADV. SRI. M.AJAY, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 32490 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT. P1- TRUE COPY OF ORDER NO.B2- 11614/2011-12 DATED 1/2012.
- EXT. P2- TRUE OCPY OF THE LICENSE ISSUED UNDER THE KERALA PANCHAYAT RAJ (ISSUE OF LICENSE TO DANGEROUS AND OFFENSIVE TRADES AND FACTORIES) RULES, 1996 FOR THE YEAR 2012-13.
- EXT. P3- TRUE COPY OF THE RECEIPT ACKNOWLEDGING THE RECEIPT OF APPLICATION FOR LICENSE.
- EXT. P4- TRUE COPY OF THE ACKNOWLEDGEMENT ISSUED BY THE DEPARTMENT OF INDUSTRIES, GOVERNMENT OF KERALA.
- EXT. P5- TRUE COPY OF THE NOTICE NO.A-1-8822/15 DATED 17.9.2015 ISSUED BY THE SECRETARY TO THE PETITIONER.
- EXT. P6- TRUE COPY OF THE APPEAL FILED BY THE PETITIONER AGAINST EXHIBIT P5.
- EXT. P7- TRUE COPY OF HTE NOTICE DATED 5.10.2015 ISSUED BY THE 2ND RESPONDENT.
- EXT. P8- TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT. P9- TRUE COPY OF THE APPLICATION FOR CONSENT FILED BY THE PETITIONER.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 32490 of 2015

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Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner is operating Hollow bricks unit. The petitioner has been served with Ext.P7 notice issued by the Pollution Control Board. Thereafter the petitioner has applied for consent from the Pollution Control Board. Ext.P9 is the application. The petitioner apprehends that action will be initiated pursuant to Ext.P7 notice.

2. Considering the facts and circumstances, there shall be a direction to the 2nd respondent to take a decision on Ext.P9 within one month from the date of receipt of the copy of this judgment. Till a decision is taken on Ext.P9, no coercive steps shall be taken against the petitioner pursuant to Ext.P7.

The writ petition is disposed of, as above.

Sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE