

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937

WP(C).No. 33350 of 2015 (P)

PETITIONER(S):

**SUNIL S., VILAYIL PUTHEN VEEDU,
KARIMPALLOOR, THETHIKKULAM,
PUTHENKULAM P.O., PARIPPALLY, KOLLAM.**

BY ADV. SRI.P.SIVARAJ.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
INDUSTRIES DEPARTMENT, STATE SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**
- 2. THE SENIOR GEOLOGIST,
MINING & GEOLOGY DEPARTMENT,
DISTRICT OFFICE, KOLLAM-691 002.**
- 3. R. MURALEEDHARAN, POIKAYIL VEEDU,
THAZHAM THEKKU, CHATHANNOOR P.O.,
KOLLAM-691 001.**

BY GOVT. PLEADER SRI.BIJU MEENATTOOR.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

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APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 COPY OF THE JUDGMENT DATED 20/10/2014 IN WP(C).NO.31120/2011.

**EXT.P2 COPY OF THE ORDER DATED 19/08/2015 IN I.A. NO.11862/2015
IN WP(C).NO.31120/2011.**

**EXT.P3 COPY OF THE REPRESENTATION DATED 30/09/2015 SUBMITTED
BY THE PETITIONER AND OTHERS TO THE 2ND RESPONDENT.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P(C)No. 33350 of 2015

Dated this the 2nd day of November, 2015

J U D G M E N T

Petitioner alleges that the third respondent is attempting to conduct laterite quarrying, in Sy.Nos.16/11-1,16/12-1 of Paripally Village of Kalluvathukkal Panchayat in Kollam District, adjacent to the houses of the petitioner and four others within a distance of 50 metres violating the provisions of Kerala Minor Mineral Concession Rules. The petitioner, apprehending that the second respondent/the Senior Geologist would issue quarrying permit overlooking the distance rules, has approached this Court. The petitioner and the persons residing close to the quarrying site, have submitted a representation as Ext.P3.

2. This Court is of the view that if the quarrying permit has not been issued so far, in favour of the third respondent, necessarily the second respondent or any other competent Geologist shall advert to

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the objections of the petitioner, as to the distance rules.

This writ petition is disposed of as above.

A.MUHAMED MUSTAQUE,
Judge

MBS/

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