

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 12TH DAY OF NOVEMBER 2015/21ST KARTHIKA, 1937

WP(C).No. 34148 of 2015 (P)

PETITIONER :

**RAHIM
S/O.SULAIMAN RAWTHER,
VALIYA VILAYIL, PAYYANALLOOR P.O.,
NOORNADU, ALAPPUZHA.**

**BY ADVS.SRI.R.SUNIL KUMAR
SMT.A.SALINI LAL**

RESPONDENT(S) :

**1. THE GEOLOGIST
GEOLOGY OFFICE, MINI CIVIL STATION,
CHERTHALA, PIN-688 524.**

**2. THE SECRETARY
PALAMEL GRAMA PANCHAYATH,
PALAMEL, NOORNADU, PIN-690 504.**

R1 BY GOVT. PLEADER SRI. BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 34148 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

EXT. P1 : COPY OF THE BUILDING PERMIT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.34148 of 2015

Dated this the 12th day of November, 2015

JUDGMENT

The petitioner challenges condition No.3 in Ext.P1 building permit. By condition No.3, it is ordered that the petitioner cannot use the building permit for the purpose of removing ordinary earth from the site.

2. The petitioner appears to have approached the Geologist for issuance of O(A) forms and on account of the above condition, the petitioner has not been given O(A) forms.

This Court is of the view that notwithstanding the stipulation in Ext.P1, the petitioner's request shall be considered in terms of Rule 14 of the Kerala Minor Mineral Concession Rules, 2013. On being satisfied with the genuineness of the building permit, necessary O(A) forms shall be issued to the petitioner by the Geologist.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

In