

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 18TH DAY OF NOVEMBER 2015/27TH KARTHIKA, 1937

WP(C).No. 34733 of 2015 (N)

PETITIONER :

**M/S. K.K. ROCKS & GRANITES INDIA (P) LTD.,
KOTTACKAL TC 2/3497, PATTOM, THIRUVANANTHAPURAM-695004
REPRESENTED BY ITS MANAGING DIRECTOR SRI. ARUN VARGHESE.**

**BY SENIOR ADVOCATE SRI.BECHU KURIAN THOMAS
BY ADVS.SRI.PAUL JACOB (P)
SRI.ENOCH DAVID SIMON JOEL
SRI.S.SREEDEV
SRI.RONY JOSE
SRI.GEORGE A.CHERIAN**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
DEPARTMENT OF INDUSTRIES, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.**
- 2. DISTRICT GEOLOGIST
DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY
PATTOM, THIRUVANANTHAPURAM-695001.**
- 3. PREETH M.,
ASWATHY BHAVAN, MECHEL P.O.
THIRUVANANTHAPURAM-695 571.**

R1 & R2 BY GOVT. PLEADER SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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...2/-

WP(C).No. 34733 of 2015 (N)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1 :** TRUE COPY OF THE QUARRYING LEASE DT. 20-9-2001 ISSUED TO THE PETITIONER VALID TILL 19-9-2013.
- EXT. P2 :** TRUE COPY OF THE QUARRYING PERMIT DT.17-6-2015 ISSUED TO THE PETITIONER VALID TILL 31-3-2016.
- EXT. P2(a) :** TRUE COPY OF THE CONSENT DT.18-5-2015 VALID TILL 13-3-2016 ISSUED BY THE POLLUTION CONTROL BOARD.
- EXT. P2(b) :** TRUE COPY OF THE PANCHAYAT LICENCE DT.28-5-2015 ISSUED BY THE PALLICHAL GRAMA PANCHAYAT VALID TILL 31-3-2016.
- EXT. P3 :** TRUE COPY OF THE JUDGMENT DT. 22-9-2015 IN WP(C) NO. 27137/2015 ON THE FILES OF THIS HON'BLE COURT.
- EXT. P4 :** TRUE COPY OF THE SRO NO.671/2015 DT.5-10-2015 ISSUED BY THE IST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 34733 of 2015

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Dated this the 18th day of November, 2015

J U D G M E N T

The petitioner is holder of permit for quarrying operation. The petitioner has been interdicted by the judgment of this Court from carrying quarrying operation without obtaining environmental clearance. This judgment was rendered on 22.9.2015.

2. The petitioner now relies on the Government Order 144/15 dated 5.10.2015. By the above said order the petitioner submits that he is entitled to operate the quarry without environmental clearance. If the above said order would apply to the petitioner, he shall be permitted to operate the quarry. Appropriate decision shall be taken by the Geologist after hearing the petitioner as well as the 3rd respondent within two weeks from the date of receipt of the copy of this judgment.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE