

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

WP(C).No. 35398 of 2015 (Y)

PETITIONER:

**P.M.NIYAS, AGED 50 YEARS
ADVOCATE, "SHAJNA", PUTHIYANGADI
KOZHIKODE-673 021.**

**BY ADVS.SRI.BABU JOSEPH KURUVATHAZHA
SRI.P.T.ABHILASH**

RESPONDENTS:

- 1. GOVERNMENT OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT FOR FOREST & WILD LIFE
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**
- 2. THE CHIEF CONSERVATOR OF FORESTS (ADMINISTRATION)
FOREST HEAD QUARTERS, VAZHUTHACAUD
THIRUVANANTHAPURAM-695 014.**
- 3. THE CONSERVATOR OF FORESTS & CUSTODIAN OF VESTED FOREST
EASTERN CIRCLE, OLAVAKKODE, PALAKKAD-678 002.**

**BY GOVERNMENT PLEADER M.J. RAJASREE
BY SRI.M.P.MADHAVANKUTTY, SPL. GOVT. PLEADER FOR FOREST**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
09-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT-P1 : COPY OF THE RELEVANT PAGE OF THE ORDER G.O.(MS) NO.38/2002/F&WLD DATED 13.06.2002 ISSUED BY THE GOVERNMENT.
- EXHIBIT-P2 : COPY OF THE ORDER G.O.(MS) NO.59/2003/F&WLD DATED 11.11.2003 ISSUED BY THE GOVERNMENT.
- EXHIBIT-P3 : COPY OF THE REPRESENTATION DATED 08.02.2005 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- EXHIBIT-P4 : COPY OF THE ORDER G.O.(RT) NO.85/06/F&WLD DATED 13.02.2006 ISSUED BY THE GOVERNMENT.
- EXHIBIT-P5 : COPY OF THE REPRESENTATION DATED 25.05.2006 FILED BY THE PETITIONER BEFORE THE HON'BLE MINISTER FOR FOREST & WILD LIFE.
- EXHIBIT-P6 : COPY OF THE REPRESENTATION DATED 18.09.2006 FILED BY THE PETITIONER BEFORE THE HON'BLE CHIEF MINISTER OF THE STATE.
- EXHIBIT-P7 : COPY OF THE LETTER NO.B1-8203/02 DATED 06.02.2007 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT-P8 : COPY OF THE ORDER G.O.(RT) NO.199/2008/F&WLD DATED 10.04.2008 ISSUED BY THE GOVERNMENT.
- EXHIBIT-P8(A) : COPY OF THE ORDER G.O.(RT) NO.1361/2008/HOME DATED 26.04.2008 ISSUED BY THE GOVERNMENT.
- EXHIBIT-P9 : COPY OF THE REPRESENTATION DATED 05.04.2015 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS:- NIL

//TRUE COPY//

P.A. TO JUDGE

K. VINOD CHANDRAN, J.

W.P(C). No.35398 of 2015-Y

Dated this the 9th day of December, 2015.

JUDGMENT

The petitioner is aggrieved with the non-consideration of Ext.P9 representation pending before the first respondent. The prayer of the petitioner is to direct the first respondent to consider and dispose of Ext.P9 within a reasonable period.

In such circumstances, there will be a direction to the first respondent to consider and dispose of Ext.P9 representation of the petitioner, as expeditiously as possible and after affording an opportunity of hearing to the petitioner, at any rate, within three months from the date of receipt of a certified copy of this judgment. It is made clear that, this Court has not made any observation on merits, which the first respondent will consider in accordance with law.

The writ petition is disposed of.

Sd/-

**K. VINOD CHANDRAN,
JUDGE.**

//True Copy//

P.A. to Judge.

sp/09/12/15