

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 36538 of 2015 (N)

PETITIONER(S):

**ABDUL RASHIQ A.,
S/O. ABDUL RAHIM,
PANATHITTA THEKKATHIL (MANJAPPALLIYIL HOUSE),
PATHARAM P.O., SOORANADU SOUTH VILLAGE,
KUNNATHUR TALUK.**

BY ADV. SRI.PRASAD CHANDRAN

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE,
ALAPPUZHA - 688 001.**
- 2. THE DIRECTOR,
DEPARTMENT OF MINING AND GEOLOGY DIRECTORATE,
KESAVADASAPURAM, PATTOM,
THIRUVANANTHAPURAM - 680 004.**
- 3. THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE,
MINI CIVIL STATION, CHERTHALA - 688 524.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 36538 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1-TRUE COPY OF THE LICENCE ISSUED TO THE PETITIONER VALID FROM
09/04/2012 TILL 21/06/2016.**

**P2-TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED TO THE PETITIONER
DATED 20/08/2015**

P3-TRUE COPY OF THE ORDER NO. 10885/A1/2015/ID DATED 04/07/2015.

P4-TRUE COPY OF THE JUDGMENT IN W.P(C) 9026/2012 DATED 06/08/2012.

**P5-TRUE COPY OF THE ORDER NO. 623/2014/CSD OF DY. SUPDT OF POLICE
DATED 01/03/2014.**

**P6-TRUE COPY OF THE EXPLANATION FILED BY THE PETITIONER TO THE SHOW
CAUSE NOTICE DATED 09/09/2015.**

P7-TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 25/09/2015

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 36538 of 2015

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Dated this the 3rd day of December 2015

J U D G M E N T

The petitioner is holding dealers licence for storing and dealing minor minerals. This has been cancelled as per Ext.P7 stating that the petitioner in the cover of dealing minor minerals is engaged in the sale of river sand. The petitioner also has been black listed.

2. However it is seen that the petitioner was not given an opportunity of being heard in the matter. In such a circumstance, this Court is of the view that the impugned order shall be treated as a show cause notice against the petitioner. The petitioner shall raise his objection to the above notice within one week from the date of receipt of the copy of this judgment. Thereafter the Geologist, first respondent is directed to pass final order in this matter within further period of one week.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

