

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 15TH DAY OF DECEMBER 2015/24TH AGRAHAYANA, 1937

WP(C).No. 38037 of 2015 (D)

PETITIONER(S):

**BHASKARAN, AGED 65 YEARS,
S/O.NARAYANAN, KALLOOR HOUSE,
NOOLPUZHA P.O., NOOLPUZHA VILLAGE,
SULTHANBAHERY TALUK, WAYANAD DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ERNAKULAM DISTRICT -673 592.**
- 2. THE DISTRICT COLLECTOR, WAYANAD DISTRICT - 673 592.**
- 3. THE DISTRICT POLICE CHIEF, WAYANAD DISTRICT - 673 592.**
- 4. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KEASAVADASAPURAM, PATTAM,
THIRUVANANTHAPURAM - 695 001.**
- 5. THE STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, INDUSTRIES DEPARTMENT,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

BY GOVERNMENT PLEADER SMT.C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
15-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 38037 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF TAX RECEIPT DTD.18.6.2015 ISSUED BY THE VILLAGE
OFFICER, NOOLPUZHA VILLAGE.**

**EXT.P2: TRUE COPY OF THE BUILDING PERMIT DTD.21.10.2015 ISSUED BY THE
SECRETARY, NOOLPUZHA GRAMA PANCHAYATH.**

**EXT.P3: TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE
THE FIRST RESPONDENT DTD.1.12.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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W.P(C)Nos.38037 of 2015

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Dated this the 15th day of December, 2015

JUDGMENT

The petitioner is owner of a building permit. Petitioner wants to remove the weathered sand from the building site. Petitioner approached the Geologist in terms of Rule 106 of Kerala Minor Mineral Concession Rules 2015 seeking O(A) forms.

2. In view of the fact that the petitioner is owner of building permit, this Court is of the view that after conducting enquiry necessary O(A) forms shall be issued to the petitioner in terms of Rule 106 of Kerala Minor Mineral Concession Rules 2015. Needless to say that necessary royalty shall be collected from the petitioner. Needful shall be done within two weeks from the date of receipt of a copy of this judgment.

This writ petition is disposed of as above.

Sd/-
A.MUHAMED MUSTAQUE,
JUDGE