

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 18TH DAY OF DECEMBER 2015/27TH AGRAHAYANA, 1937

WP(C).No. 38708 of 2015 (K)

PETITIONER(S):

1. P.V.PAULOSE, S/O.KOCHAPPU,
PALATHINKAL HOUSE, MOOKKANOOR.P.O.,
ERNAKULAM DIST.
2. G.V.JOHN, S/O. VARGHESE, GOPURATHINKAL,
MAMBRA, KARUKUTTY, ERNAKULAM DIST.
3. M.D.DEVASSYKUTTY, MAZHUVANCHERY HOUSE,
ANGAMALY.P.O., ERNAKULAM DIST.
4. K.M.VARGHESE, KAREDATH HOUSE,
THABORE.P.O., ERNAKULAM DIST.
5. E.S.SUKUMARAN, ELAVAKAPARMBIL,
PADUVAPURAM.P.O., ERNAKULAM DIST.
6. T.O. VARGHESE, THODUVA HOUSE, THABORE.P.O.,
ERNAKULAM DIST.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENT(S):

1. STATE OF KERALA, REPRESENTED BY ITS SECRETARY,
INDUSTRIES (A) DEPARTMENT, GOVT SECRETARIATE,
THIRUVANANTHAPURAM-695 001
2. THE DIRECTOR,
DIRECTORATE OF MINING AND GEOLOGY DEPARTMENT,
KESHAVADASAPURAM, PATTOM, PALACE.P.O.,
THIRUVANANTHAPURAM-695 004
3. THE SENIOR GEOLOGIST/GEOLOGIST,
DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY,
ERNAKULAM-682 011

BY GOVERNMENT PLEADER SRI.MANOJ KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE QUARRYING PERMIT BEARING NO.76/14-15/MM/GS/CRPS/DOE/3069/E2/14 DATED 19/6/2014 ISSUED BY THE THIRD RESPONDENT IN FAVOUR OF FIRST PETITIONER.
- P2 COPY OF THE QUARRYING PERMIT BEARING NO.53/14-15/MM/GS/CRPS/DOE/2552/E2/14 ISSUED BY THE THIRD RESPONDENT IN FAVOUR OF SECOND RESPONDENT DATED 30/5/2014.
- P3 COPY OF THE QUARRYING PERMIT BEARING NO.25/14-15/MM/GS/CRPS/DOE/890/E2/14 ISSUED BY THIRD RESPONDENT IN FAVOUR OF THIRD PETITIONER DATED 07/05/2014
- P4 COPY OF THE QUARRYING PERMIT BEARING NO.24/14-15/MM/GS/CRPS/DOE/889/E2/14 ISSUED BY THE THIRD RESPONDENT IN FAVOUR OF FOURTH PETITIONER DATED 7/5/2014.
- P5 COPY OF THE QUARRYING PERMIT BEARING NO.52/14-15/MM/GS/CRPS/DOE/2551/E2/14 ISSUED BY THE THIRD RESPONDENT IN FAVOUR OF FIFTH RESPONDENT DATED 30/5/2014.
- P6 COPY OF THE QUARRYING PERMIT BEARING NO.82/14-15/MM/GS/CRPS/DOE/3051/E2-14 ISSUED BY THE THIRD RESPONDENT IN FAVOUR OF SIXTH RESPONDENT
- P7 COPY OF THE APPLICATION DATED 6/4/2015 SUBMITTED BY THE FIRST PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT
- P8 COPY OF THE APPLICATION DATED 6/4/2015 SUBMITTED BY THE SECOND PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT
- P9 COPY OF THE APPLICATION DATED 6/4/2015 SUBMITTED BY THE THIRD PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT
- P10 COPY OF THE APPLICATION DATED 6/4/2015 SUBMITTED BY THE FOURTH PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT
- P11 COPY OF THE APPLICATION DATED 7/4/2015 SUBMITTED BY THE FIFTH PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT.
- P12 COPY OF THE APPLICATION DATED 6/4/2015 SUBMITTED BY THE SIXTH PETITIONER BEFORE THE THIRD RESPONDENT AND CHALAN RECEIPT
- P13 COPY OF THE ORDER DATED 7/12/2015 IN S.L.P. NO.30103/2015 OF HON'BLE SUPREME COURT OF INDIA.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

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P.A.TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No. 38708 of 2015

Dated this the 18th day of December, 2015

J U D G M E N T

The petitioners have approached this Court, seeking a direction to the 3rd respondent to consider the renewal applications of quarrying permits without insisting on environmental clearance.

In the light of Ext.P13 interim order in SLP No.30103/2015 of the apex court, this Court is of the view that the petitioners' application for renewal of quarrying permit shall be considered by the 3rd respondent. It is hereby made clear that this shall be subject to the final outcome of the decision of the apex court in the special leave appeal.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE