

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38751 of 2015 (T)

PETITIONER(S):

- 1. K.M. NOUSHAD HUSSAIN, AGED 48 YEARS,
S/O.K.K. MUHAMMED, MANAGING PARTNER,
M/S. K.K. MUHAMMED AND COMPANY,
KEROSENE WHOLESALE DEALER, KWD-IV,
KARTHIKAPPALLY TALUK, ALAPPUZHA,
RESIDING AT MULLASSERIL, KAYAMKULAM P.O.,
ALAPPUZHA DISTRICT-690 502.**
- 2. AJU JOHN ZACHARIA, AGED 28 YEARS,
S/O.LATE V.Z JOHN, PARTNER, M/S. THOMAS ZACHARIA,
KEROSENE WHOLESALE DEALER, KWD-I,
KARTHIKAPPALLY TALUK, ALAPPUZHA DISTRICT,
RESIDING AT VELAMPARAMBIL, PERINGALA P.O.,
KAYAMKULAM, ALAPPUZHA-689 723.**

BY ADV. SRI.G.BENO.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE COMMISSIONER
FOOD AND CIVIL SUPPLIES DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM-696 001.**
- 2. THE DISTRICT SUPPLY OFFICER,
OFFICE OF THE DSO, COLLECTORATE,
ALAPPUZHA-689 579.**
- 3. THE TALUK SUPPLY OFFICER,
KARTHIKAPPALLY TALUK, N.S.S. BUILDING,
HARIPAD P.O., ALAPPUZHA-690 514.**

BY GOVT. PLEADER SMT.C.K. SHERIN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE G.O.(MS) NO.26/2009/F& CSD DATED 27/07/2009.
- EXT.P2 COPY OF THE LETTER NO.11296/D3/09/F & CSD DATED 05/09/2009.
- EXT.P3 COPY OF THE ORDER NO.CS.A2/8671/05 DATED 19/03/2010.
- EXT.P4 COPY OF THE NOTICE ON 23/03/2011 FOR AN AMOUNT OF RS.23660/-.
- EXT.P5 COPY OF THE REPLY DATED 25/04/2011.
- EXT.P6 COPY OF THE ORDER NO. NIL DATED 08/07/2011 OF THE 3RD RESPONDENT TO KWD-IV.
- EXT.P6A COPY OF THE ORDER NI. NIL DATED 08/07/2011 OF THE 3RD RESPONDENT.
- EXT.P6B COPY OF THE ORDER NO. NIL DATED 08/07/2011 OF THE 3RD RESPONDENT TO KWD II.
- EXT.P7 COPY OF THE APPEAL DATED 03/08/2011.
- EXT.P8 COPY OF THE LETTER DATED 10/12/2015 TO THE 1ST RESPONDENT.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 38751 of 2015

Dated this the 21st day of December, 2015

JUDGMENT

The petitioners challenging an order under Kerala Kerosene Control Order produced as per Ext.P6 series, has filed an appeal before the District Supply Officer, Alappuzha. Ext.P7 is the appeal.

2. The petitioners, in the meanwhile, are threatened with recovery and coercive action.

3. This Court is of the view that Ext.P7 shall be disposed within a period of two months after hearing the petitioners. Till a decision is taken by the second respondent, all coercive action pursuant to Ext.P6 series orders shall be deferred.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE