

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 38974 of 2015 (V)

PETITIONER :

**ALSIF KHAN, S/O.ABDUL SATHAR, AGED 45 YEARS,
NEW MANZIL, PULIMATH.P.O., PULIMATH VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
THIRUVANANTHAPURAM-695 001.**
- 2. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695 001**
- 3. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.38974/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE ORDER DATED 19/10/2015 ISSUED BY THE FIRST RESPONDENT
TO THE PETITIONER.**
- P2 COPY OF THE ORDER DATED 11/12/2015 ISSUED BY THE FIRST RESPONDENT
TO THE PETITIONER.**

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.38974 of 2015

Dated this the 22nd day of December, 2015

JUDGMENT

The petitioner challenges Ext.P2 order of the Geologist. By Ext.P1, the petitioner has been permitted to remove and transport the earth on payment of royalty of Rs.91,100/-. It appears that the petitioner could not remove the entire earth from the site. Thereafter, Ext.P2 order was issued by the Geologist. In Ext.P2, the petitioner has been directed to remit additional royalty of Rs.50,000/-. The petitioner challenges the additional royalty.

Ext.P2 is only in the nature of renewal. In view of the above, if the petitioner has remitted the royalty as per Ext.P1, no additional royalty shall be imposed on the petitioner. Therefore, the demand of additional royalty in Ext.P2 is set aside.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE