

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. 39253 of 2015 (F)

PETITIONER(S):

- 1. P. HAJIRA, D/O.MOIDEEN,
AGED 60 YEARS, VANKULATH VAYAL,
P.O. AZHIKODE, KANNUR-9.**
- 2. T. SAHIDA, THAYAKATH HOUSE,
VANKULATH VAYAL, P.O. AZHIKODE, KANNUR.**

**BY SRI.M.RAMESH CHANDER, SENIOR ADVOCATE.
ADVS. SRI.ANEESH JOSEPH,
SMT.DENNIS VARGHESE.**

RESPONDENT(S):

- 1. DISTRICT COLLECTOR,
COLLECTORATE, KANNUR- 670 001.**
- 2. INDIAN OIL CORPORATION LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
KOZHIKODE DIVISIONAL OFFICE, PMK TOWERS,
WAYANAD ROAD, KOZHIKODE- 20.**
- 3. KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, 6TH FLOOR, RUBCO HOUSE,
SOUTH BAZAR, KANNUR- 670 002.**
- 4. SREEJITH, DEALER, INDIAN OIL PETROL PUMP,
VANKULATH VAYAL, AZHIKODE, KANNUR-9.**

**R1 BY GOVT. PLEADER SMT.C.K. SHERIN.
R2 BY ADV. SRI.M.GOPIKRISHNAN NAMBIAR
R3 BY ADV. SRI.B.PRASANTH, SC.**

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

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- EXHIBIT P1 PHOTOSTAT COPY OF THE APPLICATION FILED BY SHAFEEQUE T
DATED 29-08-2013.
- EXHIBIT P2 PHOTOSTAT COPY OF THE COMMUNICATION GIVEN TO SHAFEEQUE
ON 15-10-2013.
- EXHIBIT P3 A PHOTOSTAT COPY OF THE REPRESENTATION GIVEN PETITIONERS
ALONG WITH OTHERS BEFORE THE 2ND RESPONDENT.
- EXHIBIT P4 THE PHOTOSTAT COPY OF THE APPLICATION FILED BEFORE THE
POLLUTION CONTROL BOARD DATED 14-02-2014.
- EXHIBIT P5 PHOTOSTAT COPY OF THE JUDGMENT IN WP(C).NO. 13341/2014
DATED 20-10-2014.
- EXHIBIT P6 PHOTOSTAT COPY OF THE NOTICE SEND BY THE PETITIONERS TO
THE RESPONDENTS.
- EXHIBIT P7 PHOTOSTAT COPY OF THE NOTICE DATED 18-09-2015
ISSUED BY 1ST RESPONDENT.
- EXHIBIT P8 PHOTOSTAT COPY OF THE COMMUNICATION ISSUED BY
3RD RESPONDENT DATED 24-11-2015 ALONG WITH THE DOCUMENTS.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 39253 of 2015

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Dated this the 22nd day of December, 2015

J U D G M E N T

The petitioner challenges Ext.P8 consent issued by the Pollution Control Board.

This Court is of the view that the petitioner has in a remedy before the Appellate Tribunal. If the petitioner approaches the Appellate Tribunal, the same shall be considered within three months after issuing notice to all concerned. Therefore with a liberty to challenge the consent before the Appellate Tribunal, the writ petition is disposed of.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

