

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

WP(C).No. 39420 of 2015 (B)

PETITIONER :

**K. SIVARAMAN NAIR,
S/O.KRISHNAN NAIR, AGED 64 YEARS,
GOKULAM, (CHENAYIL) KAITHACKAL MURI,
PALLICKAL VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT -691 523.**

**BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES**

RESPONDENT(S):

- 1. STATE OF KERALA, REP. BY ITS SECRETARY,
LOCAL SELF GOVERNMENT DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM- 695 001.**
- 2. THE REVENUE DIVISIONAL OFFICER,
ADOOR, PATHANAMTHITTA DISTRICT -691 523.**
- 3. THE SECRETARY,
PALLICKAL GRAMA PANCHAYATH,
GRAMA PANCHAYATH OFFICE,
PALLICKAL VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT -691 523.**
- 4. THE ENVIRONMENT ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
PATHANAMTHITTA- 689 523.**
- 5. SOJU, MADHAVAN HOUSE,
KAITHACKAL MURI, PALLICKAL VILLAGE,
ADOOR TALUK, PATHANAMTHITTA DISTRICT -691 523.**

**R1 & R2 BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR
R4 BY SRI.M.R.ARUNKUMAR, SC, POLLUTION CONTROL BOARD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 39420 of 2015 (B)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: TRUE COPY OF TAX RECEIPT DATED 21/08/2015**
- P2: TRUE COPY OF COMPLAINT DATED 28/11/2014 SUBMITTED TO THE 3RD
RESPONDENT**
- P3: TRUE COPY OF COMPLAINT DATED 22/12/2014 SUBMITTED TO THE 2ND
RESPONDENT**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.39420/2015**

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Dated this the 23rd Day of December, 2015

J U D G M E N T

The petitioner alleges that the fifth respondent is operating a cement hollow blocks and bricks manufacturing unit without licence.

The petitioner also has a case that functioning of the unit is in violation of the provisions of the Kerala Panchayat Raj Act and Rules.

2. In the facts and circumstances, the following directions are issued:

i. The third respondent shall ensure that the unit of the fifth respondent, if any, is functioning without licence, the same shall be closed forthwith.

ii. The fourth respondent shall conduct an enquiry and find out whether the unit is functioning without the consent required under law and if it is functioning without consent or in violation of the order already issued, necessary action shall be taken by the fourth respondent with immediate effect.

iii. Needless to say, before taking any action by the third and fourth respondents, necessary notice shall be given to the fifth respondent.

The writ petition is disposed of as above. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE