

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. 39825 of 2015 (C)

PETITIONER :

**ANOOP, AGED 30 YEARS,
S/O. VENU, THUMBARATHY, ALOOR P.O.,
ALOOR VILLAGE, CHALAKKUDY TALUK,
THRISSUR DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
THRISSUR DISTRICT - 680 001.**
- 2. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, 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 SMT. C.K.SHERIN

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

sts

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE BUILDING PERMIT DATED 18/02/2015 ISSUED BY THE SECRETARY, MATTATHUR GRAMA PANCHAYATH TO THE PETITIONER.**
- P2- TRUE COPY OF THE TRANSIT PERMIT DATED 19/03/2015 ISSUED BY THE FIRST RESPONDENT.**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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Dated this the 23rd Day of December, 2015

J U D G M E N T

The petitioner is holder of a building permit as seen from Ext.P1. He was issued a transit permit as per Ext.P2. It is submitted that the Geologist found that he has extracted excess quantity than permitted. He expresses his willingness to compound the offence and also to pay royalty for the excess quantity of earth, if any, extracted.

2. Therefore, there shall be a direction to the District Geologist to conduct a site inspection to find out the quantity of the overburdened earth accumulated in the site and if it is felt that it is in excess, he shall permit him to compound the offence on remitting the compounding fee and royalty for the excess quantity and thereafter, issue necessary O(A) forms to transport

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the balance quantity. Needful shall be done within a period of two weeks.

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

A.MUHAMED MUSTAQUE, JUDGE

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