2025:KER:27947

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

FRIDAY, THE 28TH DAY OF MARCH 2025 / 7TH CHAITHRA, 1947

WP(C) NO. 12796 OF 2025

PETITIONER:

MUSTHAFA.M
AGED 68 YEARS
S/O. HYDRU, RESIDING AT KARULI HOUSE,
PADINJATTUMURI P.O, KOOTTILANGADI,
MALAPPURAM, PIN – 676 506

BY ADVS.
SRI.N.KRISHNA PRASAD
SRI.P.SHANES METHAR
SRI.A.MOHAMMED FAIZAL
SRI.N.ANAND
SRI.ARJUN P.V.

RESPONDENTS:

1 **STATE OF KERALA**
REPRESENTED BY ITS PRINCIPAL SECRETARY,
INDUSTRIES DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM., PIN – 695 001

2 **THE DIRECTOR OF MINING AND GEOLOGY**
DIRECTORATE OF MINING & GEOLOGY , KESAVADASAPURAM,
PATTOM PALACE.P.O., THIRUVANANTHAPURAM, PIN – 695 004

3 **THE GEOLOGIST**
OFFICE OF THE DEPARTMENT OF MINING AND GEOLOGY,
MANJERI, MALAPPURAM, PIN – 676 122

SMT. DEVISHREE, GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.03.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

2025:KER:27947

T.R.RAVI.J

WP(C) No.12796 of 2025

Dated this the 28th day of March, 2025

JUDGMENT

The prayer in the writ petition is for a direction to the 1st respondent to consider and pass orders on Ext.P14 representation filed by the petitioner requesting for participating in the Adalath for settlement of the dues from the petitioner as per demand made for excessive mining. Ext.P16 evidences receipt of Ext.P14. The counsel for the petitioner relies on Ext.P15 judgment issued by this Court in similar circumstances.

In the above circumstances, this writ petition is disposed of directing the 1st respondent to consider and pass orders on Ext.P14, after hearing the petitioner, at the earliest, at any rate within four months from the

date of receipt of a copy of this judgment. Coercive steps pursuant to the demand shall be kept in abeyance till the disposal of Ext.P14 representation.

Sd/-

T.R.RAVI

JUDGE

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APPENDIX OF WP(C) 12796/2025

PETITIONER'S EXHIBITS

Exhibit P1	**TRUE COPY OF THE ENVIRONMENTAL CLEARANCE NO.18/Q/2021 DATED 6.3.2021**
Exhibit P2	**TRUE COPY OF THE LICENSE ISSUED BY PESO DATED 16.03.2022**
Exhibit P3	**TRUE COPY OF THE CONSENT TO OPERATE ISSUED BY THE POLLUTION CONTROL BOARD DATED 16.06.2021**
Exhibit P4	**TRUE COPY OF THE DEMARCATION CERTIFICATE DATED 31.01.2023 ISSUED BY THE VILLAGE OFFICER**
Exhibit P5	**TRUE COPY OF THE LOCATION SKETCH**
Exhibit P6	**TRUE COPY OF THE QUARRYING PERMIT NO.25/2022-23/GR/DOMAL-DMG/291/23-M DATED 13.03.2023**
Exhibit P7	**TRUE COPY OF THE JUDGMENT DATED 15.09.2023 IN WRIT PETITION (CIVIL) NO.30329/2023**
Exhibit P8	**TRUE COPY OF THE DEMAND NOTICE NO. 164/2023-24GS/DOM/M-291/2023 DATED 17.01.2024 ISSUED BY THIRD RESPONDENT**
Exhibit P9	**TRUE COPY OF THE G.O(RT) NO.467/2024/ID DATED 15.06.2024**
Exhibit P10	**TRUE COPY OF THE JUDGMENT DATED 04.09.2024 IN WRIT PETITION (C) NO.24745/2024**
Exhibit P11	**TRUE COPY OF THE JUDGMENT DATED 04.03.2025 IN W.A NO. 2066/2024**
Exhibit P12	**TRUE COPY OF THE G.O(MS) NO 61/2023/ID DATED 25.8.2023**
Exhibit P13	**TRUE COPY OF THE GO (MS) NO.18/2025/ID DATED 28.02.2025**

Exhibit P14	**TRUE COPY OF THE REPRESENTATION OF THE PETITIONER DATED 25.3.2025 SUBMITTED BEFORE THE RESPONDENTS**
Exhibit P15	**TRUE COPY OF THE JUDGMENT DATED 29.01.2025 IN WRIT PETITION (C) NO.2693/2025**
Exhibit P16	**TRUE COPY OF THE EMAIL RECEIPT DATED 25.3.2025**