

Resal Selvaraj Vs. District Collector

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Court : Kerala

Decided On : Aug-02-2013

Judge : Honourable Mr.Justice P.R.Ramachandra Menon

Appellant : Resal Selvaraj

Respondent : District Collector

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON FRIDAY, THE 2ND DAY OF AUGUST 2013 11TH SRAVANA, 1935 WP(C).No. 11922 of 2013 (M) ----- PETITIONER(S): ----- RESAL SELVARAJ, RESAL BHAVAN, KAVADITHALAKKAL, VAZHAYILA, KARAKULAM P.O., THIRUVANANTHAPURAM. BY ADV. SRI.A.RAJASIMHAN RESPONDENT(S): ----- DISTRICT COLLECTOR, COLLECTORATE, CIVIL STATION, KUDAPPANAKUNNU P.O. THIRUVANANTHAPURAM-695 001. BY SENIOR GOVERNMENT PLEADER SMT.M.J.RAJASREE THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-08-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: PJ WP(C).No. 11922 of 2013 (M) ----- APPENDIX PETITIONER(S)' EXHIBITS ----- P1 : COPY OF THE PERMIT DTD.13.12.2012 ISSUED BY THE GEOLOGIST. P2 : COPY OF THE CONSENT DTD.2.12.2011 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD. P3 : COPY OF THE LOCATION CERTIFICATE

DTD.21.11.2011 ISSUED BY THE VILLAGE OFFICER, KULATHUMMAL. P4 : COPY OF THE POSSESSION CERTIFICATE DTD.21.11.2011 ISSUED BY THE VILLAGE OFFICER, KULATHUMMAL. P5 : COPY OF THE APPLICATION FOR NOC DTD.24.9.2010 SUBMITTED BY THE PETITIONER. P6 : COPY OF THE SKETCH DTD.10.9.2012 SUBMITTED BY THE TALUK SURVEYOR. P7 : COPY OF THE REPORT DTD.25.11.2011 OF THE DIVISIONAL OFFICER, FIRE AND RESCUE SERVICES. P8 : COPY OF THE DECISION OF THE KATTAKKADA VILLAGE PANCHAYAT, DTD.30.12.2012. P9 : COPY OF THE CONSENT DTD.26.6.2012. P10: COPY OF THE SHORT FIRER CERTIFICATE DTD.22.5.2011. P11: COPY OF THE REPORT DTD.16.1.2012 SUBMITTED BY THE TAHSILDAR, NEYYATTINKARA. P12: COPY OF THE ORDER DTD.5.3.2013 OF THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM. P13: COPY OF THE REPRESENTATION DTD.30.4.2013 SUBMITTED BY THE PETITIONER. RESPONDENT(S)' EXHIBITS ----- NIL. / TRUE COPY / P.S. TO JUDGE PJ P.R. RAMACHANDRA MENON J.

~~~~~ W.P.(C) No. 11922 of 2013  
~~~~~ Dated, this the 2nd day of August, 2013  
JUDGMENT The petitioner is stated as aggrieved of Ext. P12 order passed by the first respondent. The learned counsel for the petitioner submits that, during the pendency of the proceedings, the petitioner has sought to avail statutory remedy by filing Ext. P14 (produced along with I.A. No. 8908 of 2013) before the additional second respondent and that the petitioner will be satisfied, if a direction is given to the said respondent to have it considered within a reasonable time, after giving an opportunity of hearing to the petitioner.

2. Heard the learned Government Pleader as well.

3. Considering the limited nature of relief sought for, this Court does not find it necessary to adjudicate the matter on merits. The Writ Petition is disposed of, directing the additional second respondent to consider and pass appropriate orders on Ext. P14 in accordance with law, after giving an opportunity of hearing to the petitioner at the earliest, at any rate, within two months from the date of receipt of a copy of this judgment. W.P.(C) No. 11922 of 2013 :

2. : Petitioner shall produce a copy of this judgment along with copy of the writ petition before the additional second respondent for further steps. P. R. RAMACHANDRA MENON, (JUDGE) kmd

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