

Thottathil Chandran, vs the Geologist,

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SooperKanoon Citation : sooperkanoon.com/1444889

Court : Kerala

Decided On : May-25-2022

Judge : Honourable Mrs. Justice Anu Sivaraman

Appeal No. : WP(C)/2252/2022

Appellant : Thottathil Chandran,

Respondent : The Geologist,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN
WEDNESDAY, THE 25TH DAY OF MAY 2022 / 4TH JYAISHTA, 1944
WP(C) NO. 2252 OF 2022 PETITIONER: THOTTATHIL CHANDRAN,
AGED 62 YEARS S/O. AMBU, THOTTATHIL HOUSE, ERINAVU P.O.,
KANNUR 670 301. BY ADVS. SHABU SREEDHARAN JINSON
OUSEPH CHITRA VIJAYAN SHYAM KUMAR M.P RESPONDENTS:

1 THE GEOLOGIST, DEPT. OF MINING AND GEOLOGY, CIVIL
STATION, KANNUR 670 002. 2 TAHSILDAR, TALIPARAMBA TALUK
OFFICE, COURT ROAD, TALIPARAMBA, KANNUR 670 141. 3 THE
VILLAGE OFFICER, KURUMATHUR VILLAGE OFFICE,
KURUMATHUR P.O., KANNUR 670 142. 4 THE DISTRICT POLICE

CHIEF, KANNUR OFFICE OF THE DISTRICT POLICE CHIEF,
KANNUR 670 001. 5 ADDITIONAL R5: DIRECTOR, DIRECTORATE OF
MINING AND GEOLOGY, THIRUVANANTHAPURAM.

(IS SUO MOTU IMPLEADED AS ADDITIONAL R5 AS PER ORDER

DATED 25.05.2022) BY SMT.VINITHA B-SR.GP THIS WRIT PETITION (CIVIL)
HAVING COME UP FOR ADMISSION ON 25.05.2022, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 25th day of May, 2022 This writ petition is filed seeking the following
reliefs:

1) To call for the records leading to Exhibits P5, P7 and P9 reports and
Exhibit P10 letter and to quash them by issuing a writ of certiorari. 2) To
issue a writ of mandamus or any other appropriate writ, order or direction
commanding the 1st respondent to grant dealer's license to the petitioner
for stocking and selling ordinary sand at the proposed site within a
timeframe.

2. Heard the learned counsel for the petitioner and the learned Government
Pleader.

3. It is submitted by the learned counsel for

the petitioner that Exhibit P11 appeal has been preferred as against Exhibit P10
order dated 10.01.2022 of the District Geologist. Having heard the learned
Government Pleader also, there will be a direction to the additionally impleaded
5th respondent to take up, consider and pass orders on the appeal preferred by
the petitioner within a period of two months from the date of receipt of a copy of
this judgment, after hearing the petitioner, in case the same is received and
pending consideration. Sd/- ANU SIVARAMAN JUDGE SSK/25/05 APPENDIX
PETITIONER EXHIBITS Exhibit P1 THE TRUE COPY OF THE CIRCULAR

ISSUED BY THE DIRECTOR OF MINING AND GEOLOGY DATED 19.10.2013. Exhibit P2 THE TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT DATED 23.10.2020. Exhibit P3 THE TRUE COPY OF THE REPORT SUBMITTED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT DATED NIL. Exhibit P4 THE TRUE COPY OF THE REPORT FORWARDED BY THE 2ND RESPONDENT TO THE 1ST RESPONDENT DATED 12.01.2021. Exhibit P5 THE TRUE COPY OF THE REPORT FORWARDED BY THE 4TH RESPONDENT TO THE 1ST RESPONDENT DATED 08.01.2021. Exhibit P6 THE TRUE COPY OF THE INTERIM ORDER OF THIS DATED 08.07.2021. Exhibit P7 THE TRUE COPY OF THE REPORT SUBMITTED BY RESPONDENT DATED 08.08.2021. Exhibit P8 THE TRUE COPY OF JUDGMENT OF THIS DATED 07.10.2021. Exhibit P9 THE TRUE COPY OF THE REPORT SUBMITTED BY RESPONDENT DATED 30.12.2021. Exhibit P10 THE TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER DATED 10.01.2022. Exhibit P11 THE TRUE COPY OF THE APPEAL MEMORANDUM

WITHOUT THE EXHIBITS PRODUCED THEREIN SUBMITTED BY THE PETITIONER BEFORE THE DIRECTOR, MINING & GEOLOGY DATED 25.2.2022. RESPONDENTS' EXHIBITS: NIL SSK //TRUE COPY// PA TO JUDGE

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