

N.P.Mathappan. Vs. the Chief Conservator of Forests.

N.P.Mathappan. Vs. the Chief Conservator of Forests.

SooperKanoon Citation : sooperkanoon.com/916928

Court : Kerala

Decided On : Nov-24-2010

Reported in : ILR2010(4)Ker146

Judge : Antony Dominic, J.

Appeal No. : WP(C).No. 34505 of 2010(K)

Appellant : N.P.Mathappan.

Respondent : The Chief Conservator of Forests.

Advocate for Pet/Ap. : SRI.M.C.JOHN, Adv.

Judgement :

1. Petitioners in these writ petitions are conducting saw mills. According to them, they have obtained valid licences also.
2. In these writ petitions, they contend that although both of them had made applications for renewal of their NOCs and while orders are awaited, they have been issued stop memos requiring shutting down their industrial units. It is in the above circumstances, this writ petition has been filed.
3. In so far as W.P.(C) No.34505/2010 is concerned, learned Government Pleader confirms that the application for renewal dated 14-06-2010 has been received from the petitioner. According to the learned Government Pleader, applications which have received prior to 13-11-2010 have already been considered.

4. In so far as W.P. (C) No.34697/2010 is concerned, Ext.P6 is the application made by the petitioner. It is dated 01-11-2010. It is averred in paragraph 3 of the writ petition that subsequent to the filing of the application, the stop memo was served on the petitioner on 13-11-2010. Thus, pendency of the application is prima facie proved.

5. In that view of the matter, I feel it is only appropriate that until the State Level Committee considers the applications made by the petitioners in these writ petitions for renewal of the NOCs and communicate orders thereon to the respective petitioners, the stop memos now issued to them shall not be implemented. With this direction, these writ petitions are disposed of.

6. Needless to say that in the meanwhile, the activities carried on by the petitioners shall be confined what are permitted under the original licences issued to them.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com