

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

FRIDAY, THE 08TH DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9763 OF 2020

PETITIONER :

K. SADANANDAN,
VALLICODE, KOTTAYAM P.O.,
PATHANAMTHITTA- 689656.

BY ADVS. SRI. ENOCH DAVID SIMON JOEL,
SRI.RONY JOSE,
SRI.GEORGE A. CHERIAN
SRI.LEO LUKOSE

RESPONDENTS

1.PRAMADOM GRAMAPANCHAYAT,
LAKKOOR, MALLASSERY P.O.,
PATHANAMTHITTA-689 646.
REPRESENTED BY ITS SECRETARY.

2.SECRETARY,
PRAMADOM GRAMAPANCHAYAT,
LAKKOOR, MALLASSERY P.O.,
PATHANAMTHITTA-689 646.

R1-2 BY

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
08.05.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH.P.

FRIDAY, THE 08 TH DAY OF MAY, 2020/18TH VAISAKHA, 1942

W.P(C) NO.9757 OF 2020

Petitioner :

M/s. J & S Granites Company
Muppramon, V-Kottayam P.O.,
Pathanamthitta-689565.
Represented by its Managing Partner
Sri. K. Sadanandan.

M/s. J & S Granites Company
Muppramon, V-Kottayam P.O.,
Pathanamthitta-689565.
Represented by its Managing Partner
Sri. K. Sadanandan.

By Adv. Sri. Enoch David Simon Joel,
Rony Jose,
George A. Cherian
Leo Lukose,

Vs.

Respondents:

1. Pramadam Grama Panchayat,
Lakkoo, Mallassery P.O.,
Pathanamthitta-689 646.
Represented by its Secretary.

2. Secretary,
Pramadam Grama Panchayat,
Lakkoo, Mallassery P.O.,
Pathanamthitta-689 646.

R1 & R2 BY SRI.

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
08.05.2020, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

GOPINATH.P, J

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WP(C) NO. 9757 OF 2020 and 9763 of 2020
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DATED THIS THE 8th DAY OF May, 2020

ORDER

Urgent notice by speed post to respondents No. 1 and 2. The petitioner shall also endeavor to serve notice to the respondent through email/whatsapp. Post on 28.05.2020.

In the meanwhile, there will be an interim order permitting the petitioner to continue operating his quarrying and crusher units, provided that he has all other statutory clearances as required under law.

Nsd

**GOPINATH.P
JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1: TRUE COPY OF THE QUARRYING PERMIT DTD. 28.05.2019 VALID TILL 27.05.2020 ISSUED TO THE PETITIONER.

EXHIBIT P1 (A) : TRUE COPY OF THE CONSENT DATED 17.07.2018 VALID TILL 09.08.2020 ISSUED BY THE POLLUTION CONTROL BOARD.

EXHIBIT P1 (B) : TRUE COPY OF THE INTERIM ORDER DATED 30.03.2019 IN APPEAL NO. 230/2019 ON THE FILES OF THE TRIBUNAL FOR LOCAL SELF GOVERNMENT INSTITUTIONS.

EXHIBIT P1 (C) : TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 10.08.2015 ISSUED BY THE SEIAA.

EXHIBIT P2: TRUE COPY OF THE CONSENT DATED 16.05.2018 VALID TILL 30.06.2023 ISSUED BY THE POLLUTION CONTROL BOARD.

EXHIBIT P2 (A) : TRUE COPY OF THE TRADE LICENSE DATED 31.03.2019 VALID TILL 31.03.2020 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3: TRUE COPY OF THE APPLICATION DATED 30.01.2020 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT FOR RENEWAL OF THE TRADE LICENSE FOR OPERATING THE QUARRY.

EXHIBIT P3 (A) : TRUE COPY OF THE APPLICATION DATED 30.01.2020 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT FOR RENEWAL OF THE TRADE LICENSE FOR OPERATING THE CRUSHER UNIT.

EXHIBIT P4: TRUE COPY OF THE LETTER DATED 07.02.2020 ISSUED BY THE 2ND RESPONDENT RELATING TO

THE RENEWAL APPLICATION FOR THE QUARRY.

EXHIBIT P4 (A) : TRUE COPY OF THE LETTER DATED 07.02.2020 ISSUED BY THE 2ND RESPONDENT RELATING TO THE RENEWAL APPLICATION FOR THE CRUSHER UNIT.

EXHIBIT P5 : TRUE COPY OF THE LETTER DATED 14.02.2020 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT RELATING TO EXT.P4 LETTER FROM THE PANCHAYAT (RENEWAL APPLICATION FOR THE QUARRY) .

EXHIBIT P5 (A) : TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P6 : TRUE COPY OF THE LETTER DATED 14.02.2020 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT RELATING TO EXT.P4(A) LETTER FROM THE PANCHAYAT (RENEWAL APPLICATION FOR THE CRUSHER UNIT) .

EXHIBIT P6(A) : TRUE COPY OF THE ACKNOWLEDGEMENT CARD.APPENDIX

APPENDIX

Petitioner's Exhibits :

Exhibit P1: True copy of the quarrying lease dtd. 11.05.2011 valid till 10.05.2021.

Exhibit P1(a): True copy of another quarrying lease dtd. 11.05.2011 valid till 10.05.2021.

Exhibit P1(b): True copy of another quarrying lease dtd. 11.05.2011 valid till 10.05.2021.

Exhibit P1(c): True copy of the consent dated 19.04.2018 valid till 09.08.2020 issued by the Pollution Control Board.

Exhibit P1(d): True copy of the consent dated 19.04.2018 valid till 09.08.2020 issued by the Pollution Control Board.

Exhibit P1(e): True copy of the consent dated 19.04.2018 valid till 09.08.2020 issued by the Pollution Control Board.

Exhibit P1(f): True copy of the interim order dated 30.03.2019 in Revision Petition No. 29/2019 on the files of the Tribunal for Local Self Government Institutions.

Exhibit P1(g): True copy of the Environmental Clearance Certificate dated 10.08.2015 issued by the SEIAA.

Exhibit P2: True copy of the consent dated 18.05.2018 valid till 30.06.2023 issued by the Pollution Control Board.

Exhibit P2(a): True copy of the trade license dated 31.03.2019 valid till 31.03.2020 issued by the 2 nd Respondent.

Exhibit P3: True copy of the application dated 30.01.2020 submitted by the Petitioner before the 2 nd Respondent for renewal of the trade license for operating the quarry.

Exhibit P3(a): True copy of the application dated 30.01.2020 submitted by the Petitioner before the 2 nd Respondent for renewal of the trade license for operating the crusher unit.

Exhibit P4: True copy of the letter dated 07.02.2020 issued by the 2 nd Respondent relating to the renewal application for the quarry.

Exhibit P4(a): True copy of the letter dated 07.02.2020 issued by the 2 nd

Respondent relating to the renewal application for the crusher unit.

Exhibit P5: True copy of the letter dated 14.02.2020 submitted by the Petitioner before the 2 nd Respondent relating to Ext.P4 letter from the Panchayat (renewal application for the quarry).

Exhibit P5(a): True copy of the receipt issued by the 2 nd Respondent.

Exhibit P6: True copy of the letter dated 14.02.2020 submitted by the Petitioner before the 2 nd Respondent relating to Ext.P4(a) letter from the Panchayat (renewal application for the crusher unit).

Exhibit P6(a): True copy of the acknowledgement card.