

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

FRIDAY, THE 15<sup>TH</sup> DAY OF MAY, 2020/25<sup>TH</sup> VAISAKHA, 1942

W.P(C) NO.9963 OF 2020

PETITIONER:

T. SHAMSUDHEEN, S/O.MUHAMMED,  
AGED 54 YEARS, THARAYIL HOUSE,  
KALLADIPATTA, POKKUPADY,  
ONGALLUR -I, PALAKKAD DISTRICT.

BY ADV. SRI. RAKESH K

RESPONDENTS:-

1. THE DISTRICT COLLECTOR,  
COLLECTORATE, PALAKKAD, PIN - 678 001
2. THE REVENUE DIVISIONAL OFFICER,  
OTTAPALAM, PALAKKAD DISTRICT, PIN - 679 101
3. THE SECRETARY,  
ONGALLUR GRAMA PANCHAYATH,  
KALLADIPATTA P.O.,  
PALAKKAD DISTRICT, PIN - 679 313.
4. THE STATION HOUSE OFFICER,  
PATTAMBI POLICE STATION,  
PALAKKAD DISTRICT, PIN - 679 303
5. THE ENVIRONMENTAL ENGINEER,  
KERALA POLLUTION CONTROL BOARD,  
PALAKKAD, PALAKKAD DISTRICT, PIN - 678 001
6. MOIDUNNI, S/O.KUNHI YOUSAF,  
THARAYIL HOUSE, KALLADIPATTA P.O.,  
POKKUPADI, PATTAMBI TALUK,  
PALAKKAD DISTRICT, PIN - 679 313.
7. SHAJI, S/O.KUNHI YOUSAF,  
THARAYIL HOUSE, KALLADIPATTA P.O.,  
POKKUPADI, PATTAMBI TALUK,  
PALAKKAD DISTRICT, PIN - 679 313.

R1-2 & 4-5 BY SMT.VINITHA B, GOVERNMENT PLEADER

W.P(C) NO.9963 OF 2020

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THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON  
15.05.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O R D E R

Admit.

The learned Government Pleader takes notice for the respondents 1, 2 and 4. Notice by speed post/e-mail to respondents No.3, 6 and 7. Sri.T.Naveen accepts notice for respondent No.5.

In view of the fact the third respondent has already issued Ext.P6 - stop memo to the sixth respondent and considering the statement of the petitioner that though Ext.P6 has been issued, it has not been implemented, there will be a direction to the third respondent to ensure that Ext.P6 - stop memo is strictly implemented (unless the same has been withdrawn or has been stayed or otherwise set aside in any other proceeding), if necessary with the aid of the fourth respondent.

**GOPINATH P  
JUDGE**

APPENDIX

PETITIONERS EXTS.

EXHIBIT P1:- TRUE COPY OF THE PHOTOGRAPHS SHOWING THE ILLEGAL BUSINESS OF THE PARTY RESPONDENTS.

EXHIBIT P2:- TRUE COPY OF THE PRESCRIPTION OF THE PETITIONER'S MOTHER ISSUED FROM THE SEVANA MULTI SPECIALITY GENERAL HOSPITAL, PATTAMBI.

EXHIBIT P3:- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT DATED, 12-12-2019.

EXHIBIT P3(A):- TRUE COPY OF THE ACKNOWLEDGMENT RECEIPT ISSUED FROM THE OFFICE OF THE 1<sup>ST</sup> RESPONDENT DATED, 12-12-2019.

EXHIBIT P4:- TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE POLLUTION CONTROL BOARD DATED, 12-12-2019.

EXHIBIT P4(A):- TRUE COPY OF THE ACKNOWLEDGMENT RECEIPT ISSUED FROM THE OFFICE OF THE 5<sup>TH</sup> RESPONDENT DATED, 12-12-2019.

EXHIBIT P5:- TRUE COPY OF THE COMMUNICATION DATED, 13-12-2019 ISSUED FROM THE OFFICE OF THE FIRST RESPONDENT.

EXHIBIT P6:- TRUE COPY OF THE STOP MEMO DATED, 28-4-2020 ISSUED BY THE 3<sup>RD</sup> RESPONDENT TO THE 6<sup>TH</sup> RESPONDENT.