

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE BECHU KURIAN THOMAS

TUESDAY, THE 05TH DAY OF MAY, 2020/15TH VAISAKHA, 1942

W.P(C) TMP NO.323 OF 2020

PETITIONER

JOSEPH THOMAS, S/O. LATE THOMAS
AGED 65 YEARS, KAPPIL HOUSE, PRAVITHANAM,
ANTHINADU P.O., KOTTAYAM DISTRICT - 686 651.

BY ADVOCATES SRI. JOHNSON MATHEW MANAYANI
SRI. BENHUR JOSEPH MANAYANI
SRI. JEEVAN MATHEW MANAYANI

RESPONDENTS

1. JOBIN SEBASTIAN, S/O. SEBASTIAN,
PANAMTHANATHU HOUSE, ULLANADU P.O.,
PRAVITHANAM, KOTTAYAM DISTRICT - 686 651.
2. THE SUB INSPECTOR OF POLICE,
PALAI POLICE STATION, PALAI P.O.,
KOTTAYAM - 686 675, REP BY ITS, SECRETARY.
3. THE BHARANANGANAM GRAMA PANCHAYATH,
REP BY ITS, SECRETARY,
BHARAGANAM P.O., KOTTAYAM - 686 578.
4. THE SECRETARY TO LOCAL SELF GOVT.,
SECRETARIATE, THIRUVANANTHAPURAM - 695 001.
5. THE VIGILANCE WING ATTACHED TO LOCAL SELF GOVT.,
SECRETARIATE, THIRUVANANTHAPURAM - 695 001.
6. THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
PALAI P.O., KOTTAYAM DISTRICT - 686 675.
7. THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, KOTTAYAM - 686 001.
8. THE TAHSILDAR, MEENACHIL TALUK,

W.P(C) TMP NO.323 OF 2020 ..2..

PALAI P.O., KOTTAYAM DISTRICT - 686675.

BY GOVERNMENT PLEADER SMT.B.VINITHA

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
05.05.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 5th day of May, 2020

The learned Government Pleader takes notice for R2, R4, R5, R6 and R8. The learned Standing Counsel Sri. T. Naveen takes notice for R7. Notice by speed post to R1.

In the mean time, R2 and R7 will verify as to whether the first respondent is functioning his unit at night, if so necessary action will be initiated in accordance with law.

Post on 28.05.2020.

**BECHU KURIAN THOMAS
JUDGE**

APPENDIX

PETITIONERS EXTS:

EXHIBIT P1 TRUE COPY OF THE PETITION FILED BEFORE THE 3RD RESPONDENT, DATED 22-9-2016, BY THE PETITIONER AND THE LOCAL RESIDENTS

EXHIBIT P2 TRUE COPY OF THE ORDER OF THE POLLUTION CONTROL BOARD AUTHORITY TO THE 1ST RESPONDENT, DATED 16-11-2016

EXHIBIT P3 TRUE COPY OF THE LETTER OF THE 3RD RESPONDENT DT 1.11.2016

EXHIBIT P4 TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 24-12-2019

EXHIBIT P5 TRUE COPY OF THE RECEIPT FOR THE ACCEPTANCE OF THE PETITIONER'S COMPLAINT ISSUED BY THE 2ND RESPONDENT

EXHIBIT P6 TRUE COPY OF THE LETTER DT 7.2.2020 WITH THE ORDER ENCLOSED THEREIN

EXHIBIT P7 TRUE COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE RESPONDENTS 4 TO 7 DT 28.3.2020