

IN THE HIGH COURT OF KERALA AT

ERNAKULAM PRESENT

THE HONOURABLE MR. JUSTICE SHAJI  
P.CHALY

FRIDAY, THE 18<sup>TH</sup> DAY OF NOVEMBER 2022 / 27TH KARTHIKA, 1944

WP(C) NO. 38792 OF 2015

PETITIONER:

ANSON  
ANTONY AGED  
36 YEARS  
S/O. ANTONY, PLAKKAL KUTTIKIDAN HOUSE, MADAYIKONAM  
VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DISTRICT-  
680121.  
BY ADV SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

- 1 THE STATE OF KERALA  
REP. BY THE SECRETARY TO THE GOVERNMENT, LOCAL SELF  
GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001.
- 2 THE IRINJALAKUDA MUNICIPALITY  
REP. BY ITS SECRETARY, IRINJALAKUDA P.O.,  
THRISSUR DISTRICT-680121.  
BY ADVS.  
SRI.JOBY JOSEPH, SENIOR GOVERNMENT PLEADER FOR R1  
SMT.S.AMBILY FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
18.11.2022, ALONG WITH WP(C).8313/2016, THE COURT ON THE SAME  
DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 18<sup>TH</sup> DAY OF NOVEMBER 2022 / 27TH KARTHIKA, 1944

WP(C) NO. 8313 OF 2016

PETITIONER:

ANSON ANTONY

AGED 36 YEARS

S/O.ANTONY, PLAKKAL KUTTIKIDAN HOUSE, MADIYIKONAM  
VILLAGE, MUKUNDAPURAM TALUK, THRISSUR DISTRICT-680  
121.

BY ADV SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

- 1 THE STATE OF KERALA  
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT, LOCAL  
SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695 001.
- 2 THE IRINJALAKUDA MUNICIPALITY  
REPRESENTED BY ITS SECRETARY, IRINJALAKUDA  
P.O., THRISSUR DISTRICT-680 121.  
BY ADVS.  
SRI.JOBY JOSEPH, SENIOR GOVERNMENT PLEADER FOR R1  
SMT.S.AMBILY FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
18.11.2022, ALONG WITH WP(C).38792/2015, THE COURT ON THE SAME  
DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

**Dated this the 18<sup>th</sup> day of November, 2022**

These writ petitions are filed by the one and the same petitioner. W.P.©

No.38792/2015 is filed by the petitioner seeking the following reliefs:

(i) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the 2<sup>nd</sup> respondent, to consider the application of the petitioner and to change the name of the owner in Exhibit P3 to that of the petitioner, within stipulated time limits in the interest of justice.

(ii) To pass any such or further orders as the petitioner may seek and this Court deem fit to grant.

2. In W.P.© No.8313/2016, the petitioner sought for the following reliefs:

(i) Call for the records leading to Ext P13 and may be pleased to issue a writ of Certiorari and may be pleased to quash the same, in the interest of justice.

(ii) To issue a writ of Mandamus or any other appropriate writ, order, or direction commanding the second respondent to grant the no objection, as referred to in Ext P13, after changing the name to that of the petitioner in the trade license, within stipulated time limits, as may be fixed by this Hon'ble court, in the interest of justice.

iii) To pass any such or further orders as the petitioner may seek and this Hon'ble Court deem fit to grant.

3. A detailed deliberation of the matter is not required since learned counsel for petitioner submitted that already the Municipality has renewed the licence of the petitioner for the period 2022-2023. The learned Standing Counsel for the Municipality has endorsed the said submission made by the learned counsel for

petitioner.

4. Therefore, after having heard learned counsel for petitioner - Sri.Sreekumar G. Chelur, learned Senior Government Pleader - Sri.Joby Joseph, and learned Standing Counsel for Municipality - Smt.S.Ambily, the writ petition is disposed of recording the above aspect.

Sd/-

**SHAJI P.CHALY**

**JUDGE**

smv

APPENDIX OF WP(C) 38792/2015

**PETITIONER EXHIBITS**

EXHIBIT P1- A TRUE COPY OF THE DOCUMENT BEARING NO. 1211 OF 2015 OF THE IRINJALAKUDA SRO DATED 7-7-2015.

EXHIBIT P2- A TRUE COPY OF THE LICENSE ISSUED BY THE PORATHASSERY GRAMA PANCHAYATH DATED 2-8-82.

EXHIBIT P3- A TRUE COPY OF THE LICENSE ISSUED BY THE SECOND RESPONDENT DATED 28-5-2015.

EXHIBIT P4- A TRUE COPY OF THE LICENSE ISSUED IN THE NAME OF SHAJI K.K. DATED 23-10-2013.

EXHIBIT P5- A TRUE COPY OF THE RECORDS MAINTAINED BY THE DISTRICT INDUSTRIES CENTER, THRISSUR DATED 3-2-2012.

EXHIBIT P6- A TRUE COPY OF THE CONSENT ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD DATED 16-5-2015.

EXHIBIT P7- A TRUE COPY OF THE LICENSE ISSUED BY THE FACTORIES AND BOILERS DATED 24-11-2015.

EXHIBIT P8- A TRUE COPY OF THE RECEIPT ISSUED BY THE DATED 18-9-2015.

EXHIBIT P9- A TRUE COPY OF THE PROPERTY TAX RECEIPT ISSUED DATED 18-9-2015.

APPENDIX OF WP(C) 8313/2016

PETITIONER EXHIBITS

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EXT.P7: A TRUE COPY OF THE LICENSE ISSUED BY THE FACTORIES AND BOILERS DATED 24.11.2014.

EXT.P8: A TRUE COPY OF THE RECEIPT ISSUED BY THE DATED 18.9.2015.

EXT.P9: A TRUE COPY OF THE PROPERTY TAX RECEIPT ISSUED DATED 18.9.2015.

EXT.P10: A TRUE COPY OF THE COMMUNICATION FROM THE FOREST DEPARTMENT DATED 19.1.2016.

EXT.P11; A TRUE COPY OF THE RECEIPT ISSUED DATED 13.1.2016 BY THE SECOND RESPONDENT.

EXT.P12: A TRUE COPY OF THE ORDER ISSUED BY THE POLLUTION CONTROL BOARD, THRISSUR DATED 31.12.2015.

EXT.P13: A TRUE COPY OF THE COMMUNICATION OF THE SECOND RESPONDENT DATED 4.2.2016.