

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 12978/2022

(Arising out of impugned final judgment and order dated 25-05-2022 in WPC No. 25917/2021 passed by the High Court Of Kerala At Ernakulam)

M/S POABS GRANITES PRODUCTS PVT. LTD.  
VERSUS

Petitioner(s)

THE STATE OF KERALA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.  
IA No. 153184/2022 - INTERVENTION/IMPLEADMENT)

WITH

SLP(C) No. 15858/2022 (XI-A)

(IA No. 133184/2022 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 13803/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.110486/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.110488/2022-EXEMPTION FROM FILING O.T.)

SLP(C) No. 16811/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.140792/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16523/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.138971/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.138972/2022-EXEMPTION FROM FILING O.T. and IA No.138970/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 16020/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.134774/2022-EXEMPTION FROM FILING O.T.)

Diary No(s). 26129/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.140679/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.140677/2022-PERMISSION TO FILE PETITION (SLP/TP/WP/..))

SLP(C) No. 16789/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.140688/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 16823/2022 (XI-A)

(FOR ADMISSION and I.R. and IA No.141207/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

**For Petitioner(s)**

Mr. K.V. Viswanathan, Sr. Adv.,  
Mr. E.M.S. Anam, AOR  
Ms. Akhila Nambiar, Adv.

Mr. V. Giri, Sr. Adv.  
Mr. Gaurav Agrawal, Adv.  
Mr. Mohammed Sadique T.A., AOR  
Mr. Shankar V., Adv.  
Mr. Alim Anvar, Adv.  
Ms. Anu K. Joy, Adv.  
Mr. Abraham C. Mathew, Adv.

Mr. MKS Menon, Adv.  
Ms. Usha Nandini V., AOR  
Mr. Biju P. Raman, Adv.  
Mr. Shashank Menon, Adv.  
Mr. Ravi Lamod, Adv.

Ms. Filza Moonis, AOR

**For Respondent(s)**

Mr. Prashant Bhushan, Adv.  
Mr. James P. Thomas, AOR  
Mr. Rashmi Singh, Adv.  
Mr. Ravi Sagar, Adv.  
Mr. Vinosh K.K., Adv.

Mr. C.K. Sasi, AOR  
Mr. Abdulla Naseeh V.T., Adv.  
Ms. Meena K. Poullose, Adv.

**UPON hearing the counsel the Court made the following  
O R D E R**

Perusal of the order passed by the Tehsildar in SLP(C) No. 16789/2022 would reveal that the Tehsildar has passed the order prohibiting the quarrying activities on the ground that the Pattas of land in question were granted for the purpose of agricultural activities.

We find that it will be appropriate that the State of Kerala clarifies the position on this aspect.

We, therefore, direct the respondent No.1, State of Kerala to file an affidavit clarifying therein as to whether the land in question were granted only for the agricultural/residential purposes, in each of the cases.

It shall also clarify as to whether it is permissible to carry

out the mining activities on the land which is granted only for the agricultural/residential purpose.

The respondent/State shall also clarify as to whether such assignments are granted only for personal cultivation, house-sites and beneficial enjoyment, as provided under the Kerala Land Assignment Rules, 1964.

The affidavit, as above, be filed within a period of two weeks from today.

List on 18.11.2022.

(NARENDRA PRASAD)  
ASTT. REGISTRAR-cum-PS

(SAROJ KUMARI GAUR)  
ASSISTANT REGISTRAR