



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 14307 OF 2025

PETITIONER:

THRESSIAKUTTY @ THRESSIA
AGED 83 YEARS
WIFE OF KUNJUVAREETH, KACHAPPILLY HOUSE,
MARAMCODE, KODASSERY, CHATTIKULAM P.O.,
THRISSUR DISTRICT, PIN - 680 721

BY ADVS.
SRI.P.M.ZIRAJ
SRI.IRFAN ZIRAJ

RESPONDENTS:

- 1 THE DISTRICT GEOLOGIST
DISTRICT OFFICE OF MINING AND GEOLOGY, T
HRISSUR DISTRICT, PIN - 680 020
- 2 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT SECRETARIAT,
GOVERNMENT OF KERALA, THIRUVANANATHAPURAM, PIN - 695 001
- 3 THE DISTRICT COLLECTOR
THRISSUR, FIRST FLOOR, CIVIL STATION,
CIVIL LINES RD, KALYAN NAGAR, AYYANTHOLE,
THRISSUR, KERALA, PIN - 680 003
- 4 THE VILLAGE OFFICER
KUTTICHIRA VILLAGE,
THRISSUR DISTRICT, PIN - 680 724
- 5 THE TAHASILDAR
CHALAKKUDYTALUK,
THRISSUR DISTRICT, PIN - 680 307

SMT. DEEPA NARAYANAN, SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAVI.J**

WP(C) No.14307 of 2025

Dated this the 07th day of April, 2025**JUDGMENT**

The petitioner is aggrieved since Ext.P5 application for extraction and removal of ordinary earth for the purpose of construction of a building as per Ext.P3 building permit is not being accepted and orders issued. Reliance is placed on Exts.P6 and P7 judgments of this Court. This Court has held that if there is a valid building permit issued, the District Geologist is bound to consider the application.

In view of the orders issued in similar cases, this writ petition is disposed of directing the 1st respondent to receive and consider Ext.P5 application as and when the same is presented before the 1st respondent and pass orders, after hearing the petitioner, at the earliest, at any rate within six weeks from the date of receipt of a copy of this judgment. The petitioner shall produce a copy of the writ petition along with a certified copy of this judgment before the 1st respondent for necessary compliance.

Sd/-

T.R.RAVI
JUDGE



APPENDIX OF WP(C) 14307/2025

PETITIONER'S EXHIBITS

Exhibit P1	TRUE COPY OF THE TAX RECEIPT DATED 17.5.2024 ISSUED BY THE FOURTH RESPONDENT
Exhibit P2	TRUE COPY OF THE PATTa DATED 30.1.1979 ISSUED BY THE SPECIAL TAHASILDAR(LAND ASSIGNMENT), THRISSURIS
Exhibit P3	TRUE COPY OF THE BUILDING PERMIT DATED 15.3.2025 ISSUED BY THE KODASSERYGRAMAPANCHAYATH
Exhibit P4	TRUE COPY OF THE RELEVANT PORTION OF APPROVED BUILDING PLAN WHICH SHOWS THE DETAILS OF EARTH CUTTING
Exhibit P5	TRUE COPY OF THE APPLICATION DATED 23.3.2025 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT
Exhibit P6	TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 23.5.2022 IN WPC NO.14602/2022
Exhibit P7	TRUE COPY OF THE JUDGMENT OF THIS HONOURABLE COURT DATED 6.10.2022 IN WPC NO.23601/2022