

(2022) 07 KL CK 0022

In the High Court Of Kerala

Case No : Writ Petition (C) No. 10504 Of 2021

Ramankutty

APPELLANT

Vs

Secretary

RESPONDENT

Date of Decision : 01-07-2022

Acts Referred:

Citation : (2022) 07 KL CK 0022

Hon'ble Judges : P.V.Kunhikrishnan, J

Bench : Single Bench

Advocate : P.Jayaram, K.M.Jamaludheen, Leejoy Mathew.V., Sabu S.Kallaramoola, Latha Prabhakaran

Final Decision : Disposed Of

Judgement

P.V.Kunhikrishnan, J

1. The above writ petition is filed with following prayers :

"i) Issue a writ of certiorari or other appropriate writ, direction or order quashing Ext P1 order.

ii) Issue a writ of mandamus or other appropriate writ, direction or order directing the 1st respondent to consider the application of the 2nd respondent afresh following the procedure laid down in Rule 6(3)(ii) of Kerala Panchayath Raj (Licensing of Livestock Farms) Rules 2012 affording an opportunity of hearing to the petitioners.

iii) Grant such other reliefs found just and proper in the facts and circumstances of the case." [SIC]

2. Even though the main prayer in the writ petition is against Ext.P1 order of the Tribunal, the 2nd prayer is to issue a direction to the 1st respondent to consider the application of the 2nd respondent afresh following the procedure laid down in Rule 6(3) (ii) of the Kerala Panchayath Raj (Licensing of Livestock Farms) Rules, 2012 after affording an opportunity of hearing to the petitioners. As per Ext.P1

order, the Tribunal allowed the appeal and was pleased to set aside Annexure-P12 impugned order dated 11.4.2016 and the respondent-Panchayat is directed to permit the appellant to run the poultry farm as per the permit issued by the respondent and also the 1st respondent to issue license in favour of the appellant after reconsidering Annexure-P9 application. There is a time limit also to pass the final orders. In effect, the Tribunal directed to reconsider the application and the 2nd prayer in the writ petition is to give an opportunity of hearing to the petitioners also. That prayer can be allowed.

Therefore, this writ petition is disposed of directing the 1st respondent to hear the petitioners also, while passing orders as directed by the Tribunal in Ext.P1 order.