

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 30TH DAY OF SEPTEMBER 2019 / 8TH ASWINA, 1941

WP(C).No.23830 OF 2019(C)

PETITIONER:

KURUVAMMAL,  
AGED 62 YEARS  
W/O. LATE S.L. DORAIRAJ, PERADIPALLAM, PIUS  
NAGAR P.O, MARAYAOOR, IDUKKI DISTRICT,  
PIN-685 620

BY ADVS.  
SRI.K.P.SUDHEER  
SMT.C.K.SHERIN

RESPONDENTS:

- 1 DIVISIONAL FOREST OFFICER,  
MARAYAOOR SANDAL DIVISION, MARAYOOR P.O,  
IDUKKI DISTRICT, PIN-685 620
- 2 FOREST RANGE OFFICER,  
KANTHALLOOR FOREST RANGE, KOVILKADAVU,  
SAHAYAGIRI P.O, IDUKKI DISTRICT, PIN-685 620
- 3 DEPUTY RANGE OFFICER,  
VANNANTHURA FOREST STATION, PIUS NAGAR P.O,  
IDUKKI DISTRICT, PIN-685 620
- 4 VILLAGE OFFICER,  
KEEZHANTHOOR VILLAGE, VILLAGE OFFICE,  
KEEZHANTHOOR, P.O. KANTHALLOOR-685 620, IDUKKI  
DISTRICT.

5        STATE OF KERALA,  
         REPRESENTED BY ITS SECRETARY, FOREST AND WILD  
         LIFE DEPARTMENT, SECRETARIAT,  
         THIRUVANANTHAPURAM-695 001

         BY SRI. SANDESH RAJA, SPL. GOVERNMENT PLEADER

         THIS WRIT PETITION (CIVIL) HAVING COME UP FOR  
ADMISSION ON 30.09.2019, THE COURT ON THE SAME DAY  
DELIVERED THE FOLLOWING:

**W.P.(C)No.23830 of 2019**

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**J U D G M E N T**

The limited prayer made by the learned counsel for the petitioner, when this matter was taken up for consideration, was for a direction to the first respondent to complete the proceedings initiated pursuant to Ext.P12 notice. Ext.P12 is the notice issued by the first respondent to the petitioner in a proceedings initiated against the petitioner under Section 61B of the Kerala Forest Act, 1961 in respect of the timber logs mentioned in the writ petition.

2. Heard the learned counsel for the petitioner as also the learned Special Government Pleader.

3. Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition directing the first respondent to complete the proceedings initiated against the petitioner as mentioned in Ext.P12, after

affording the petitioner an opportunity to let in evidence and for hearing, in accordance with the law, within two months from the date of receipt of a copy of this judgment. Ordered accordingly.

**Sd/-  
P.B.SURESH KUMAR, JUDGE.**

DK

## **APPENDIX**

### **PETITIONER'S EXHIBITS:**

EXHIBIT P1	TRUE COPY OF CERTIFICATE NO. 160/19 DATED 16.5.2019 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P2	TRUE COPY OF THE BASIC TAX RECEIPT DATED 09.04.2019 ISSUED BY THE 4TH RESPONDENT.
EXHIBIT P3	TRUE COPY OF THE RESIDENTIAL CERTIFICATE DATED 15.5.2019 ISSUED BY THE SECRETARY OF KANTHALLOOR GRAMA PANCHAYATH.
EXHIBIT P4	TRUE COPY OF THE OWNERSHIP CERTIFICATE NO.302/09 DATED 04.05.2009 ISSUED BY THE 4TH RESPONDENT ALONG WITH A LOCATION SKETCH.
EXHIBIT P5	TRUE COPY OF THE APPLICATION DATED 04.05.2009 SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENT.
EXHIBIT P6	TRUE COPY OF THE APPLICATION ALONG WITH THE ENDORSEMENT MADE BY THE 2ND RESPONDENT DATED 5.5.2009
EXHIBIT P7	TRUE COPY OF COMMUNICATION DATED 15.05.2009 ISSUED BY THE 3RD RESPONDENT TO THE 2ND RESPONDENT.
EXHIBIT P8	TRUE COPY OF THE JUDGMENT DATED 21.11.2017 IN CC NO. 162/2010 ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, DEVIKULAM.

EXHIBIT P9                      TRUE COPY OF REPLY DATED 30.05.2019  
ISSUED BY THE 1ST RESPONDENT UNDER  
RIGHT TO INFORMATION ACT.

EXHIBIT P10                     TRUE COPY OF APPLICATION DATED  
30.04.2019 SUBMITTED BY THE PETITIONER  
BEFORE THE 2ND RESPONDENT UNDER RIGHT  
TO INFORMATION ACT.

EXHIBIT P11                     TRUE COPY OF REPLY GIVEN BY THE 2ND  
RESPONDENT ON 25.05.2019 TO THE  
PETITIONER.

EXHIBIT P12                     TRUE COPY OF NOTICE NO. A1-3758/18  
DATED 08.03.2019 ISSUED BY THE FIRST  
RESPONDENT TO THE PETITIONER.

EXHIBIT P13                     TRUE COPY OF REPLY DATED 04.06.2019  
SUBMITTED BY THE PETITIONER TO THE  
FIRST RESPONDENT.

RESPONDENTS' EXHIBITS:    NIL

//TRUE COPY//

PA TO JUDGE

DK