

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 12077 of 2015 (H)

PETITIONER:

**SUNIL KUMAR, AGED 44 YEARS,
S/O.NADESAN, MANAGING DIRECTOR,
SKG GRANITES & QUARRIES(PVT.) LTD.,,
OOTTUPURA, KONNI, PATHANAMTHITTA.**

BY ADV. SRI.MATHEW A KUZHALANADAN

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. STATE EMVIRONMENTAL IMPACT
ASSESSMENT AUTHORITY (SEIAA) KERALA,
REPRESENTED BY ITS DIRECTOR,
DIRECTORATE OF ENVIRONMENT AND
CLIMATE CHANGE, PALLIMUKKU, PETTAH,
TRIVANDRUM - 695 024.**
- 3. STATE LEVEL EXPERT APPRAISAL
COMMITTEE(SEAL) KERALA,
REPRESENTED BY ITS CHAIRMAN,
DIRECTORATE OF ENVIRONMENT, PETTAH,
THIRUVANANTHAPURAM - 695 024.**

BY SENIOR GOVERNMENT PLEADER SRI.JOSEPH GEORGE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 : TRUE COPY OF THE PANCHAYATH LICENSE, QUARRYING PERMIT, POLLUTION CONSENT AND EXPLOSIVE LICENSE FOR THE YEAR 2013-2014.

EXHIBIT P2 : TRUE COPY OF THE RELEVANT PAGES MINUTES OF THE 20TH MEETING OF THE 3RD RESPONDENT HELD ON 5TH OCTOBER, 2013.

EXHIBIT P3 : TRUE COPY OF THE FRESH APPLICATION DATED 16.1.2014 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P4 : TRUE COPY OF THE ABSTRACT OF THE AGENDA FOR 25TH MEETING OF THE 3RD RESPONDENT.

EXHIBIT P5 : TRUE COPY OF THE LETTER BY THE 2ND RESPONDENT INVITING THE PETITIONER FOR PRESENTATION OF THE PROPOSAL BEFORE THE 3RD RESPONDENT.

EXHIBIT P6 : TRUE COPY OF THE MINUTES OF THE 25TH MEETING DATED 14TH AND 15TH FEBRUARY, 2014 OF THE 3RD RESPONDENT.

EXHIBIT P7 : TRUE COPY OF THE REPORT OF FIELD VISIT AS SUBMITTED BY THE 3RD RESPONDENT.

EXHIBIT P8 : TRUE COPY OF THE REVISED DOCUMENTS AND DETAILS SUBMITTED BY THE PETITIONER ON 25.9.2014.

RESPONDENT'S EXHIBITS: - NIL

/TRUE COPY/

P.A. TO JUDGE

mbr/

P.R. RAMACHANDRA MENON, J.

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W.P.(C). No. 12077 of 2015

Dated this the 10th day of April, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

“i. to issue a writ in the nature of mandamus or any other writ directing the 1st respondent to complete the process in Ext.P3 application /proposal of the petitioner within a period of 3 weeks and grant EC for the petitioner's project.

ii. To declare that the petitioner is eligible for deemed EC as per clause 8(iii) of the EIA Notification .”

The learned counsel for the petitioner submits that the grievance of the petitioner has also been projected by way of Ext.P3 application/proposal which is pending consideration before the 2nd respondent and the prayer is to cause the same to be considered and disposed of within a reasonable time .

2. Heard the learned Government Pleader as well.

3. After hearing both the sides, the writ petition is disposed of, directing the 2nd respondent to consider and pass appropriate orders on Ext.P3 in accordance with law after hearing the

petitioner at the earliest, at any rate, within 'two months' from the date of receipt of a copy of this judgment.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent for further steps.

**P.R. RAMACHANDRA MENON,
JUDGE.**

kp/-