

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 29TH DAY OF OCTOBER 2015/7TH KARTHIKA, 1937

WP(C).No. 32698 of 2015 (J)

PETITIONER:

**BHASKARAN, AGED 70 YEARS,
S/O.ACHUTHAN, VENNITHAKIDIYIL HOUSE,
MANEED VILLAGE, MUVATTUPUZHA TALUK,
MANEED P.O, ERNAKULAM DIST.**

BY ADV. SRI.R.GIRISH

RESPONDENT(S):

- 1. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT, COLLECTORATE,
KAKKANAD, KOCHI - 682030.**
- 2. THE SECRETARY,
THIRUVANIYOOR GRAMA PANCHAYATH,
ERNAKULAM DISTRICT - 682089.**
- 3. THE STATE OF KERALA, REPRESENTED BY
THE ADDITIONAL CHIEF SECRETARY,
DEPARTMENT OF ENVIRONMENT AND CLIMATE
CHANGES (SEAC), GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695001.**
- 4. THE SECRETARY, THE STATE LEVEL
ENVIRONMENT IMPACT AUTHORITY (SEIAA),
KERALA, DIRECTORATE OF ENVIRONMENTAL
AND CLIMATE CHANGE, SECRETARIAT,
THIRUVANANTHPURAM - 695001.**
- 5. SAJI K ELIAS, S/O.CHAS, AGED 48 YEARS,
KUNZHIKANDTHIL HOUSE, THIRUVANIYOOR P.O,
THIRUVANIYOOR VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.**
- 6. UNION OF INDIA, REPRESENTED BY THE SECRETARY,
MINISTRY OF ENVIRONMENT AND FOREST,
PARYAVARAN BHAVAN, CGO COMPLEX, JOTHI ROAD,
NEW DELHI - 110003.**

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7. THE VILLGE OFFICER,
THIRUVANIYOR VILLAGE, KUNNATHUNADU TALUK,
ERNAKULAM DISTRICT.
8. THE GEOLOGIST,
DEPARTMENT OF MINING & GEOLOGY,
DISTRICT OFFICE, CIVIL STATION,
KAKKANAD, KOCHI - 682030.

R1, R2, R4 R7 & R8 BY GOVT. PLEADER S RI.BIJU MEENATTOOR
R6 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL
SRI.B.PREM KUMAR, CGC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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WP(C).No. 32698 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1: TRUE COPY OF THE LETTER DATED 11/8/2015 ISSUED BY THE 7TH RESPONDENT UNDER RIGHT TO INFORMATION ACT.
- P2: TRUE COPY OF THE ORDER DATED 31.07.2015 PASSED BY THIS HON'BLE COURT IN WPC.NO.22768/2015 WPC.NO.12620/2015 AND WPC.NO.11096/2015.
- P3: TRUE COPY OF THE RELEVANT PORTION OF THE MINUTES/ REPORT OF THE 3RD RESPONDENT.
- P4: TRUE COPY OF THE BUILDING PLAN AND RECEIPT SHOWING PAYMENT OF THE REQUISITE FEE.
- P5: TRUE COPY OF THE OBJECTION OF EXT P3 SUBMITTED BY THE PETITIONER ON 21.08.2015(WITHOUT ANNEXURES).
- P6: TRUE COPY OF THE DETAILED OBJECTION SUBMITTED BY THE PETITIONER ON 19.10.2015(WITHOUT ANNEXURES).

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.32698 of 2015

Dated this the 29th day of October, 2015

JUDGMENT

The petitioner raised objections for granting environment clearance to the 5th respondent. Exts.P5 and P6 are the objections before respondents 3 and 4. The petitioner submits that the fourth respondent already made a recommendation and the matter is not pending before the third respondent.

This Court is of the view that before finalising the matter, if not finalised so far, the objections raised by the petitioner as per Exts.P5 and P6 shall be adverted by the third respondent, if possible after hearing the petitioner.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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