

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 24TH DAY OF NOVEMBER 2015/3RD AGRAHAYANA, 1937

WP(C).No. 34601 of 2015 (A)

PETITIONER :

**SARALAKUMARI,
W/O.UNNIKRISHNAN, AGED 50 YEARS,
PANAYANCHERIL HOUSE, PATTIMATTOM P.O.,
KUNNATHUNADU TALUK, ERNAKULAM DISTRICT.**

BY ADV. SRI.P.M.ZIRAJ

RESPONDENT(S):

- 1. THE DISTRICT GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
ERNAKULAM DISTRICT-682 030.**
- 2. THE DIRECTOR,MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM-695 001.**
- 3. THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
INDUSTRIES DEPARTMENT, GOVERNMENT OF KERALA,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**

BY GOVERNMENT PLEADER SMT. C.K.SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 34601 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE ENVIRONMENTAL CLEARANCE FROM THE KERALA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, DT 18-4-2014.
- P2 : TRUE COPY OF THE NO OBJECTION CERTIFICATE DT 25-5-2015 ISSUED BY THE DISTRICT COLLECTOR, ERNAKULAM
- P3 : TRUE COPY OF THE FIRST MINING PERMIT DT 28-5-2015 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.
- P4 : TRUE COPY OF THE RENEWED MINING PERMIT ISSUED BY THE FIRST RESPONDENT DT 3-10-2015.
- P5 : TRUE COPY OF THE ORDER DT 29-6-2015 ISSUED BY THE DISTRICT COLLECTOR, ERNAKULAM BY BANNING THE EXTRACTION AND TRANSPORTATION OF EARTH IN ERNAKULAM DISTRICT.
- P6 : TRUE COPY OF THE ORDER DT 19-8-2015 ISSUED BY THE DISTRICT COLLECTOR, ERNAKULAM, BY LIFT THE BAN BY EXTRACTION AND REMOVAL OF ORDINARY EARTH IN CERTAIN CASE.
- P7 : TRUE COPY OF THE ORDER DT 20-10-2015 ISSUED BY THE KERALA STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 34601 of 2015

Dated this the 24th day of November, 2015

JUDGMENT

The petitioner based on NOC, issued by the District Collector, has obtained a quarrying permit. The petitioner has also obtained environmental clearance (EC).

2. The period of quarrying permit is over however, the validity of EC is still in force.

3. For the purpose of renewing quarrying permit, the Geologist insisted the production of NOC from the District Collector.

4. This Court is of the view, in view of the fact that NOC has already been issued, further renewal of NOC is not required. Therefore, on being satisfied that the petitioner has necessary environmental clearance, the quarrying permit

shall be renewed in accordance with law. Necessary O.A. Form shall also be issued to the petitioner. Needful shall be done within a period of two weeks.

The writ petition is disposed of as above.

Sd/-

**A. MUHAMED MUSTAQUE
JUDGE**

bpr