

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 35726 of 2015 (M)

PETITIONER(S):

**VIJAYA QUARRY WORKS,
NADAVATTOM P.O., ALUVA, ERNAKULAM DISTRICT,
REPRESENTED BY ITS MANAGING PARTNER, ROBINS JOSEPH,
S/O.JOSEPH.**

**BY ADVS.SRI.BABU S. NAIR
SMT.SMITHA BABU
SRI.P.A.RAJESH
SRI.R.RANJITH
SMT.M.LISHA**

RESPONDENT(S):

- 1. STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY KERALA,
DIRECTORATE OF ENVIRONMENT AND CLIMATE CHANGE,
PALLIMUKKU, PETTA, THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695 024.**
- 2. THE DIRECTOR,
DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE,
(SEAC KERALA) PALLIMUKKU, PETTA, THIRUVANANTHAPURAM,
PIN - 695 024.**

BY GOVERNMENT PLEADER SRI.BIJU MEENATTOOR

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
08-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 35726 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1:TRUE COPY OF THE LETTER GIVEN BY THE PETITIONER TO THE
2ND RESPONDENT DATED 27.02.2014.**

**P2:TRUE COPY OF THE ORDER OF THIS HON'BLE COURT IN WPC.NO.28087/2011
DATED 03.10.2013**

**P3:TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WPC.NO.19690/2014
DATED 20.08.2014**

**P4:TRUE COPY OF THE JUDGMENT DATED 07.04.2015 IN WPC.NO.3914/2015 OF THIS
HON'BLE COURT**

**P5:TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER BY THE
1ST RESPONDENT DATED 22.07.2015**

**P6:TRUE COPY OF THE REPLY GIVEN BY THE PETITIONER TO THE
1ST RESPONDENT DATED 03.08.2015**

**P7:TRUE COPY OF THE COMMUNICATION ISSUED TO THE PETITIONER BY THE
2ND RESPONDENT DATED 31.10.2015**

**P8:TRUE COPY OF THE REPLY GIVEN BY THE PETITIONER TO THE
1ST RESPONDENT DATED 04.11.2015**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 35726 of 2015

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Dated this the 8th day of December, 2015

J U D G M E N T

The petitioner approached this Court for following reliefs:

- i. Call for the entire records leading up to Exhibit P7 and quash the same by the issuance of a writ of certiorari or any other appropriate writs, orders or directions;
- ii. Issue a writ of mandamus or any other appropriate writs, orders or directions commanding the 1st respondent to issue environmental clearance to the petitioner forthwith, without any further delay;
- iii. Issue a writ of mandamus or any other appropriate writs, orders or directions commanding the respondents not to insist the petitioner to again submit the documents, which have been already submitted in the applications pending before the 1st respondent as Nos.116/SEIAA/KL/2182/2013 and No.115/SEIAA/KL/2181/2013;
- iv. Grant such other reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case."

2. The petitioner submits that he has produced Mining Plan as per Ext.P5 before the first respondent. Therefore application shall be processed. Therefore there shall be a direction to the first respondent to consider the application of the petitioner as expeditiously as possible.

The writ petition is disposed of, as above. sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE

