



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.01.2015

CORAM

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABABU

WEB COPY

W.P. (MD) No. 716 of 2015

T. Kumaresan

... Petitioner

Vs

1. The Chairman,
State Level Environment Impact
Assessment Authority,
3rd Floor,
Panagal Maligai,
No. 1, Jeenis Road,
Saidapet, Chennai-15.

2. The District Collector,
Kanyakumari District,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the first respondent to consider the application given by the petitioner dated 17.12.2014 for issuing clearance certificate to the petitioner for conducting quarry operation in petitioner's patta land S.F.No.214/C2 and 221/1(P) over an extent of 0.47.5 ha in Painkulam Village at Vilavancode Taluk in Kanyakumari District.

For Petitioner : Mr. K. Samidurai
For Respondents : Mr. M. Rajarajan
Government Advocate

ORDER

Mr. M. Rajarajan, learned Government Advocate, takes notice for the respondents.

2. The petitioner seeks for a Mandamus directing the first respondent to consider the application given by the petitioner dated 17.02.2014 seeking for an issuance of clearance certificate for conducting quarry operation in the petitioner's patta land in S.F.No. 214/C2 and 221/1(P) over an extent of 0.47.5 hectare in Painkulam Village at Vilavancode Taluk in Kanyakumari District .

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4. It is seen that the petitioner has applied for quarry lease to the District Collector, who in turn, directed the petitioner to provide the 'Environmental Clearance Certificate' obtained from the first respondent. Based on such direction, the petitioner has approached the first respondent by way of his request dated 17.12.2014 seeking for



'Environmental Clearance Certificate'. It is stated that the said application is still pending and not yet disposed of.

5. Considering the facts and circumstances of the case and without expressing any view on the merits and contentions raised by the Writ Petitioner, I only direct the first respondent to consider the application filed by the petitioner dated 17.12.2014 and pass orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

ssm

To

1.The Chairman,
State Level Environment Impact
Assessment Authority,
3rd Floor,
Panagal Maligai,
No.1, Jeenis Road,
Saidapet, Chennai-15.

2.The District Collector,
Kanyakumari District,
Kanyakumari District.

+1cc to Mr.K.Samidurai,Advocate Sr NO.3199

+1cc to Special Government Pleader SR NO.3498

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rg.30.01.2015 2p.5c.