



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2019

CORAM:

THE HONOURABLE **MR. JUSTICE M.GOVINDARAJ**

WEB COPY

W.P.(MD)No.20462 of 2019

M. Mohammed Kamal Raja

... Petitioner

/vs./

1.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No.30/2 Sidco Industrial Estate,
Pettai, Tirunelveli District 627 010.

2.The Tahsildar,
Maanoor,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to issue Environmental Clearance certificate to operate crushing unit by considering the petitioner's online application in Application No.28198261, dated 08.9.2019.

For Petitioner : Mr.I.Abrar MD Abdullah
For R2 : Mr.M.Rajarajan
Government Advocate
For R1 : Mr.V.Vasanthakumar
Standing Counsel

O R D E R

The petitioner has applied for Environmental Clearance certificate from the first respondent by considering his on line application No.28198261, dated 08.09.2019.

2.On notice, Mr.V.Vasanthakumar, learned Standing Counsel appearing for the first respondent would submit that the petitioner did not comply with the two returns, which reads as follows:

"1.The unit shall furnish the No objection certificate obtained from Revenue department stating that No new/proposed stone crusher unit should be located within 500 m from any NH or SH or inhabited site or educational institutions/and other public offices and places of religious importance as on date.



2.The unit shall furnish the No objection certificate obtained from Revenue department stating that No new/proposed stone crusher unit should be located within radius of 1000 m from any stone crusher as on date."

If the application is represented after compliance, the same will be processed.

3. Accordingly, a direction is given to the petitioner to comply with the defects indicated by the first respondent and on such compliance, the respondents are directed to process the application and pass orders, within a period of four weeks from the date of receipt of a copy of this order.

4.This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

Ls

To:

- 1.The District Environmental Engineer,
Tamilnadu Pollution Control Board,
No.30/2 Sidco Industrial Estate,
Pettai, Tirunelveli District 627 010.
- 2.The Tahsildar,
Maanoor,
Tirunelveli District.

+1 CC to M/s.GP (SR-89366[F] dated 25/09/2019)

+1 CC to M/s.J.SENTHIL KUMARIAH, Advocate (SR-89354[F] dated 25/09/2019)

W.P. (MD)No.20462 of 2019
24.09.2019

JM/14.10.2019/2P/5C