



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.Nos.21984, 21987, 21988, 21989 and 22015 of 2021

A.Muthu Kumar ..Petitioner in WP.No.21984 of 2021

M/s. Silvers and Mines & Mineral
Rep.by its proprietor G.Kumaran,
No.15/26, Sannathi Street,
Thiruthuraipoondi Taluk,
Tiruvarur - 614 713. ..Petitioner in WP.Nos.21987&21988/2021

M/s. Sakthi Mines & Mineral
Rep.by its proprietor G.Kumaran,
No.15/26, Sannathi Street,
Thiruthuraipoondi Taluk,
Tiruvarur - 614 713. ..Petitioner in WP.No.21989 of 2021

M/s. Sri Ram Chemicals
Rep.by its Proprietor C.R.Shanmugam,
No.93, EVR Nagar,
Tiruchirapalli ..Petitioner in WP.No.22015 of 2021

Versus

1. The Union of India,
Rep. by its Secretary to Government,
Ministry of Environment,
Forest and Climate Change,
Paryavaran Bhavan,
Jor Bahg, New Delhi - 110 003.
2. State Environment Impact Assessment Authority (SEIAA)
Rep.by its Member Secretary,
No.1, Jeenis Road, Panagal Building,
Third Floor, Saidapet,
Chennai - 600 015
...Respondents in all the Writ Petitions

Prayer in WP.No.21984 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to process the application for environmental clearance dated 08.04.2018 as per the clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2020-I.A.III dated 12.11.2020 regarding dispensing with public hearing in respect of petitioner's Silica



quarry over an extent of 3.06.0 hectares of his own patta land in S.No.2/6, 17/4A and 18/5 in Thagattur Village, Vedaranyam Taluk, Nagapattinam District.

Prayer in WP.No.21987 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to process the application for environmental clearance dated 05.04.2018 as per the clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2020-I.A.III dated 12.11.2020 regarding dispensing with public hearing in respect of petitioner's Silica quarry over an extent of 1.89.5 hectares in S.Nos.27/1, 27/2, 27/17 & 27/21 at Thanikkotagam Village, Vedaranyam Taluk, Nagapattinam District.

Prayer in WP.No.21988 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to process the application for environmental clearance dated 06.04.2018 as per the clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2020-I.A.III dated 12.11.2020 regarding dispensing with public hearing in respect of petitioner's Silica quarry over an extent of 1.17.0 hectares in S.No.74/2B3 & 89/4B in Chettipulam Village, Vedaranyam Taluk, Nagapattinam District.

Prayer in WP.No.21989 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to process the application for environmental clearance dated 12.04.2018 as per the clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2020-IA.III dated 12.11.2020 regarding dispensing with public hearing in respect of petitioner's Silica quarry over an extent of 1.62.0 hectares in S.No.205/1B in Vanduvancheri Village, Vedaranyam Taluk, Nagapattinam District.

Prayer in WP.No.21989 of 2021: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to process the application for environmental clearance dated 03.02.2017 as per the clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2020-IA.III dated 12.11.2020 regarding dispensing with public hearing in respect of petitioner's Silica quarry over an extent of land measuring 4.58.0 hectares in his patta lands in S.No.94/1, 95/1, 2 of in Varagupadi Village, Kunnam Taluk, Perambalur District.



WEB COPY

For Petitioners : Mr. K.R.Krishnan
in all the Writ Petitions

For R1 : Mr. G. Ilangovan
in all the Writ Petitions

COMMON ORDER

The relief sought for in these writ petitions is to direct the respondents to process the petitioners' applications for environmental clearance given on various dates during the year 2017 and 2018.

2. However, when these matters are taken up for hearing today, the learned counsel for the petitioners fairly submitted that the applications so submitted by the petitioners are not in accordance with the Notification dated 12.11.2020 issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) and hence, liberty may be granted to the petitioners to submit fresh applications to the respondents as per the guidelines issued in the notification dated 12.11.2020 and on receipt of the same, the respondents may be directed to process the said applications on merits in accordance with law.

3. On the above submissions of the learned counsel for the petitioners, this Court heard the learned counsel for the first respondent in all these writ petitions and perused the materials placed.

4. In the light of the submissions of the learned counsel for the petitioners mentioned above, these writ petition are disposed of granting liberty to the petitioners to submit fresh applications as per the notification dated 12.11.2020 issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division), within a period of two weeks from the date of receipt of a copy of this order. On submitting such applications, the respondents authorities shall consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

av/rsh



To

1. The Secretary to Government,
The Union of India,
Ministry of Environment,
Forest and Climate Change,
Paryavaran Bhavan,
Jor Bahg, New Delhi - 110 003.

2. The Member Secretary,
State Environment Impact Assessment Authority (SEIAA)
No.1, Jeenis Road, Panagal Building,
Third Floor, Saidapet,
Chennai - 600 015.

+5cc to Mr.G.Ilangovan, Advocate, S.R.Nos.54385 To 54489

+5cc to Mr.K.R.Krishnan, Advocate, S.R.Nos.54380 To 54384

+1cc to the Government Pleader, High Court, Madras, S.R.No.54611

W.P.Nos.21984, 21987, 21988,
21989 and 22015 of 2021

EV(CO)
RGA(23/11/2021)