



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.14667 of 2022

K.Devendiran

... Petitioner

Versus

1. State Level Environment Impact Assessment Authority,
(SEIAA) Rep by its Member Secretary,
No.1, Jeenis Road, Panagal Maaligai,
3rd Floor, Saidapettai, Chennai - 600 015.
2. The District Collector,
Vellore District,
Vellore.
3. The Assistant Director of Geology & Mining,
Mines Department,
Collectorate Complex,
Vellore District, Vellore.
4. The Tahsildar,
Vellore Taluk,
Vellore District

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the first respondent to process the application dated 12.07.2018 for Environmental Clearance as per the Clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2021-I A.III dated 12.11.2020 regarding dispensing with public hearing in respect of Survey Nos.251 (Part), 263 (Part) to an extent of 0.84.0 Hectares situated at Alamelumangapuram, Vellore Taluk, Vellore District to the Petitioner, on the basis of the petitioner's representation dated 11.02.2022.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.V.Chandrasekaran
Sr.Panel Counsel for R.1

Mr.B.Vijay
AGP for R.2 to R.4



ORDER

WEB COPY This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to process the application dated 12.07.2018 for environmental clearance as per the Clarification issued by the Government of India, Ministry of Environment and Forests and Climate Change (Impact Assessment Division) in F.No.22-28/2021-I A.III dated 12.11.2020 regarding dispensing with public hearing in respect of Survey Nos.251 (Part), 263 (Part) to an extent of 0.84.0 Hectares situated at Alamelumangapuram, Vellore Taluk, Vellore District to the Petitioner, on the basis of the petitioner's representation dated 11.02.2022 within a time frame to be fixed by this Court.

2. Heard Mr.P.Krishnasamy, learned counsel for the petitioner, Mr.V.Chandrasekaran, learned Senior Panel Counsel for the first respondent and Mr.B.Vijay, learned Additional Government Pleader for the respondents 2 to 4.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The petitioner has sought for environmental clearance and submitted an application on 12.07.2018. He has followed up the same with a representation dated 11.02.2022. Since the same has not been considered till date, he has filed this writ petition.

5. The petitioner has filed documents along with the writ petition to substantiate his case that he is entitled for environmental clearance. It is for the respondents to consider the said documents and thereafter to decide as to whether the petitioner can be granted the environmental clearance or not.

6. No prejudice would be caused to the respondents if the petitioner's application dated 12.07.2018, followed by his representation dated 11.02.2022 is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

7. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's application dated 12.07.2018, followed by his representation dated



11.02.2022, seeking for environmental clearance within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner, including granting him the right of personal hearing.

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With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Member Secretary,
State Level Environment Impact Assessment Authority,
(SEIAA), No.1, Jeenis Road, Panagal Maaligai,
3rd Floor, Saidapettai,
Chennai - 600 015.
2. The District Collector,
Vellore District,
Vellore.
3. The Assistant Director of Geology & Mining,
Mines Department,
Collectorate Complex,
Vellore District,
Vellore.
4. The Tahsildar,
Vellore Taluk,
Vellore District

+1cc to Mr.K.Jenny, Advocate, S.R.No.35689

+1cc to the Government Pleader, S.R.No.35339

W.P.No.14667 of 2022

RR(CO)
UMA(22/06/2022)