



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 20.01.2022

CORAM

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.18169 of 2021

M/s Sankaran Minerals and Mines
Rep. By its Proprietor
Mr.A.S.Shankar Ganesan
22-a, Kumar Nagar, South
3rd Street, (Opp Suriya Theater)
Tiruppur - 641 603.

... Petitioner

-vs-

1.The Secretary (MoEFcc)
Ministry of Environment Forest and Climate Changes
Indira Paryavaran Bhavan, Ali Ganj
Jorbag Road, New Delhi - 110 003.

2.The Chairman
State Level Environment Impact Assessment Authority (SEIAA)
3rd Floor, Jeenis Road
Saidapet, Chennai - 600 015.

3.The Chairman, (The District Collector)
District Environmental Impact Assessment Authority (DEIAA)
Collectorate, Tiruppur District.

4.The Director
Department of Geology and Mining
Guindy, Chennai - 32.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to issue Environmental Clearance Certificate based on the online application dated 27.10.2017 as recommended by the 1st respondent dated 05.03.2021.

For petitioner : Ms.Reshmi Christy

For respondents: Mr.A.Ramesh Babu
Central Government Standing Counsel
for R1
Mr.K.Srinivasa Murthy
Senior Panel Counsel for R2



ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J.,)

We have heard, Ms.Reshmi Christy, learned counsel appearing for the petitioner; Mr.Ramesh Babu, learned Central Government Standing Counsel and Mr.K.Srinivasa Murthy, learned Senior Panel Counsel appearing for the 2nd respondent and also perused the materials available on record.

2.The petitioner has come up with this writ petition for issuance of writ of mandamus, directing the 2nd respondent to issue environmental clearance certificate, based on the online application of the petitioner dated 27.10.2017.

3.The learned counsel appearing for the petitioner would state that a fresh representation dated 16.06.2020 has been given through online and it would suffice to direct the 2nd respondent to consider the application of the petitioner.

4.The learned Senior Panel Counsel appearing for the 2nd respondent would state that the 2nd respondent is the competent authority and he is ready to consider the application of the petitioner, in accordance with law. It is next contended that the petitioner failed to appear before the 2nd respondent for the hearing fixed on 05.08.2020.

5.It is the submission of the learned counsel for the petitioner, no proper intimation was given and hence, the petitioner was unable to appear for the hearing conducted on 05.08.2020, however, a fresh application has been made on 19.07.2021.

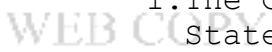
6.In the light of the submissions of the learned counsels, this Court without expressing any opinion on the merits of the matter, directs the 2nd respondent to pass orders on the online application of the petitioner dated 16.06.2020 and the subsequent representation dated 19.07.2021, after providing opportunity to the petitioner, within a period of three months from the date of receipt of a copy of this order.

7.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar



1.The Chairman

2.The Chairman, (The District Collector)

3.The Director

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