



WEB COPY



W.P.No.91

IN THE HIGH COURT OF JUDICATURE AT MADRAS

ORDERS RESERVED ON : 20.07.2023

ORDERS PRONOUNCED ON : 27.07.2023

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

AND

THE HON'BLE MRS.JUSTICE N.MALA

W.P.No.9168 of 2019

and WMP.Nos.9700 & 24208 of 2019

R.Bhuvaneshwari

... Petitioner

Vs.

The Member Secretary,
State Environment Impact Assessment Authority,
Ground Floor Panagal Maligai,
No.1 Jeenis Road,
Saidapet,
Chennai – 600 015.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in Proceedings bearing Letter No.SEIAA-TN/F-6551/SEAC-CXVIII/TOR-413(A)/2018 dated 30.07.2018 and quash the same in so far as it introduces a new requirement of Public hearing and direct the respondent to consider the application for Environmental Clearance made by the petitioner vide Online Application No.A/TN/MIN/72221/2018



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dated 09.04.2018 without insisting on any Public hearing in respect of quarrying of granite stone in patta lands to an extent of 1.38.0 hectares of patta lands in S.F.Nos.109/17, 109/25A1, 109/25B, 109/26B and 109/28 of Ulagiyanallur Village, Kallakurichi Taluk, Villupuram District, Tamil Nadu and pass orders on the same expeditiously and within such time as may be directed by this Court and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.K.S.Viswanathan Senior Counsel for
Mr.V.Suthakar

For Respondent : Mr.Venkatasamy Babu

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ORDER

[Order of the Court was made by N.MALA,J.]

This Writ Petition is filed for a writ of Certiorarified Mandamus, calling for the records of the respondent in Proceedings bearing Letter No.SEIAA-TN/F-6551/SEAC-CXVIII/TOR-413(A)/2018 dated 30.07.2018 and quash the same in so far as it introduces a new requirement of Public hearing and direct the respondent to consider the application for Environmental Clearance made by the petitioner vide Online Application No.A/TN/MIN/72221/2018 dated 09.04.2018 without insisting on any Public hearing in



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respect of quarrying of granite stone in patta lands to an extent of 1.38.0 hectares of patta lands in S.F.Nos.109/17, 109/25A1, 109/25B, 109/26B and 109/28 of Ulagiyanallur Village, Kallakurichi Taluk, Villupuram District, Tamil Nadu and pass orders on the same expeditiously and within such time as may be directed by this Court.

2.The petitioner submitted his proposal for grant of Environmental Clearance (EC) to the Ministry of Environment, Forests and Climate Change, Government of India (MoEF & CC) on 12.01.2018, vide Online application No.A/TN/MIN/72221/2018. On 15.03.2018, the Ministry directed that the projects falling under Category 'B' shall be appraised by the State Authority viz., the SEIAA, Tamil Nadu. The petitioner further applied for Terms of Reference (ToR) on 09.04.2018 to the SEIAA. SEIAA vide the impugned communication dated 30.07.2018 informed the petitioner that the authority had decided to issue the Terms of Reference (ToR) with public hearing for considering the mining period from 2018-2019 onwards. The petitioner therefore filed the above writ petition to quash the aforesaid communication in so far as it related to the introduction of a new requirement of public hearing with further direction to the respondent to consider the application for Environmental Clearance made by the petitioner vide Online Application No.A/TN/MIN/72221/2018 dated 09.04.2018.



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3. When the matter was taken up for hearing today, the learned counsel appearing for the petitioner referring to the Minutes of 368th Meeting of SEAC held on 19.04.2023 submitted that the SEAC in its aforesaid meeting held on 19.04.2023 decided to waive the public hearing for the petitioner's proposal on the basis of latest OM's on the subject. The learned counsel therefore submitted that in view of the decision taken by SEAC on 19.04.2023, nothing survives for further adjudication in the writ petition. The learned counsel for the respondent also reiterated the said submission.

4. In view of the aforesaid submissions, the Writ Petition stands closed as nothing survives for adjudication. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions stand closed.

J.N.B.J., N.M.J.,
27.07.2023

Index : yes/no
Internet : yes/no
ah



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WEB COPY

- To
- 1.The Deputy Collector (Revenue),
Department of Revenue & Disaster Management,
Government of Puducherry,
Puducherry.
 - 2.The Tahsildar cum Executive Magistrate,
Taluk Office,
Revenue Department,
Government of Puducherry,
Puducherry – 605 008.
 - 3.The Convenor,
Centralised Admission Committee (CENTAC),
Government of Puducherry,
Pondicherry Engineering College Campus,
Puducherry – 605 014.



WEB COPY



W.P.No.9168 of 2019

J.NISHA BANU, J.
&
N.MALA, J.
ah

PRE-DELIVERY ORDERS IN
W.P.No.9168 of 2019

27.07.2023