



W.P.No.17246 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.17246 of 2023

M/s.Stone Trust Enterprises,
Rep. by its Partner Mr.K.P.Mithun Kumar,
7/4, 8th Street, Nandanam Extension,
Chennai – 600 035.

... Petitioner

Vs.

1.State Level Environment Impact Assessment Authority (SEIAA),
Rep. by its Member Secretary,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet, Chennai – 600 015.

2.State Level Expert Appraisal Committee (SEAC),
Rep. by its Chairman,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet, Chennai – 600 015.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 10.03.2023 and process the petitioner's application/proposal bearing File No.9641 dated 13.12.2022 and grant Environmental Clearance to the petitioner to quarry in patta



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land measuring an extent of 3.06.0 Ha in S.F.Nos.22/1, 23/1, 2, 24/7, 8, 25/1 and 25/2 of Semmedu Village, Vikravandi Taluk, Villupuram District, in accordance with law and on merits, within a time stipulated by this Court.

For Petitioner : Mr.G.Rajagopalan
Senior Counsel
for M/s.S.Saravanan

For Respondents : Mr.K.Srinivasamurthy

ORDER

The Writ Petition has been filed for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 10.03.2023 and process the petitioner's application/proposal bearing File No.9641 dated 13.12.2022 and grant Environmental Clearance to the petitioner to quarry in patta land measuring an extent of 3.06.0 Ha in S.F.Nos.22/1, 23/1, 2, 24/7, 8, 25/1 and 25/2 of Semmedu Village, Vikravandi Taluk, Villupuram District, in accordance with law and on merits, within a time stipulated by this Court.

2. Mr.K.Srinivasamurthy, learned counsel takes notice on behalf of the respondents. In view of the consent expressed by the learned



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counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, the petitioner is a registered partnership firm, which was established on 10.10.2003 under the Indian Partnership Act and obtained necessary licenses/approvals under statutory law in force in the State of Tamil Nadu. While so, the petitioner-firm made an application for black granite quarry lease under Tamil Nadu Minor Mineral Concession Rules, 1959 and the same was recommended by the District collector, Villupuram, pursuant to which, the said proposal was approved by the Commissioner of Geology & Mining. Subsequently, the precise area communication letter was issued by the Industries Department on 29.03.2019, whereby, it was directed to request the applicant to furnish the approved mining plan through the Director of Geology and Mining and to produce Environmental Certificate from competent authority. Therefore, the petitioner-firm made an application for obtaining Prior Environmental Clearance in File No.6873 and was placed during the 136th SEAC Meeting held on 21.09.2019 under Agenda No.136-02-03. Thereafter, fresh application is



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made in File No.9641 dated 13.12.2022. Since the same was not considered by the respondents, the petitioner-firm has made a detailed representation dated 10.03.2023 before the second respondent to consider the above application. However, the same was not considered by the respondents. Hence, the petitioner filed the above writ petition before this Court for appropriate directions.

4. Heard the learned Senior Counsel appearing for the petitioner as well as the learned counsel appearing for the respondents and perused the materials available on record.

5. Taking into consideration the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's application bearing file No.9641 dated 13.12.2022 on its own merits and in accordance with law and appropriate orders shall be passed within a period of three months from the date of receipt of a copy of this order.



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costs.

6. This Writ Petition is disposed of with the above directions. No

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To

1.The Member Secretary,
State Level Environment Impact Assessment Authority (SEIAA),
3rd Floor, Panagal Maaligai,
No.1, Jeenu Road, Saidapet, Chennai – 600 015.

2.The Chairman,
State Level Expert Appraisal Committee (SEAC),
3rd Floor, Panagal Maaligai,
No.1, Jeenu Road, Saidapet, Chennai – 600 015.



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M.DHANDAPANI, J.

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