



W.M.P.Nos.27114, 27119, 27120 & 27121 of 2023

W.M.P.Nos.27114, 27119, 27120 & 27121 of 2023
in W.P.Nos.22567, 22568, 22569 and 22570 of 2023

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N.SESHASAYEE, J.

Mr.N.L.Raja, the learned Senior Counsel submitted that paragraph No.5 of the order dated 03.08.2023 is incomplete in the sense a single order is passed in a batch of four cases and prayer sought in each of the petition is relatable to specific G.O.(D) passed for that case and hence it has to be made clear to avoid any further confusion in future.

2.From paragraph No.5 to 7 are now dropped, the following paragraph is inserted as paragraph No.5;

"5.Heard the learned counsel for the petitioners in this regard briefly.

Now, this Court approves the schedule provided by the 4th respondent for completing its assessment in consonance with the terms of G.O.(D).No.232, dated 28.12.2017 (relating to W.P.No.22567 of 2023), G.O.(D).No.143, dated 28.12.2017 (relating to W.P.No.22568 of 2023), G.O.(D).No.233, dated 28.12.2017 (relating to W.P.No.22569 of 2023) and G.O.(D).No.234, dated 28.12.2017 (relating to W.P.No.22570 of



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2023) issued by Industries Department. These writ petitions stand disposed of accordingly. No costs."

3.The Registry is now required to carryout necessary amendment in the common order made in W.P.Nos.22567, 22568, 22569 and 22570 of 2023 dated 03.08.2023 and host this order in the official website and the Registry is also required to issue a fresh certified copy to the parties free of charges.

4.These Miscellaneous petitions stand allowed accordingly.

21.09.2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

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MR.JUSTICE N.SESHASAYEE

W.P.Nos.22567, 22568, 22569 and 22570 of 2023

M/s.Sri Navaladiyan Engineers,
Represented by its Authorized Signatory,
SPR.Venkataachalam,
S/o.Sabarathinam,
No.22/110,
Greenways Road,
Fairlands,
Salem-636 016.

... Petitioner in W.P.No.22567 of 2023

M/s.Thriveni Earth Movers Pvt. Ltd.,
Represented by its Authorized Signatory,
SPR.Venkataachalam,
S/o.Sabarathinam,
No.22/110,
Greenways Road,
Fairlands,
Salem-636 016.

... Petitioner in W.P.No.22568 of 2023

M/s.Thriveni Earth Movers Pvt. Ltd.,
Represented by its Authorized Signatory,
SPR.Venkataachalam,
S/o.Sabarathinam,



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No.22/110,
Greenways Road,
Fairlands,
Salem-636 016.

... Petitioner in W.P.Nos.22568 and 22569 of 2023

P.Balasubramanian,
S/o.Palanivel,
Represented by his Power of Attorney,
SPR.Venkataachalam,
Plot No.65,D.No.120/3,
First Main Road,
New Fairlands,
Salem-636 016.

... Petitioner in W.P.No.22570 of 2023

Vs.

1.The Principal Secretary to Government,
Industrial Department,
Tamil Nadu Government,
Secretariate,
Fort St.George,
Chennai-600 009.

2.The Principal Secretary to Government,
Environment and Forest Department,
Tamil Nadu Government,
Secretariate,
Fort St.George,
Chennai-600 009.

3.The Commissioner of Geology and Mining,
Guindy,
Chennai-600 032.

4.The State Level Environment Impact Assessment Authority,
Rep. by its Member Secretary,



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3rd Floor, Panagal Maligal,
No.1, Jeenis Road,
Saidapet,
Chennai-600 015.

5.The District Collector,
Krishnagiri District,
Krishnagiri.

6.The Deputy Director,
Geology and Mining,
Krishnagiri District.

... Respondents in all W.Ps

Prayer in W.P.No.22567 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 4th respondent herein to process with the petitioner's online application dated 06.07.2023, acknowledged vide Letter No.SEIAA-TN/F.No.10190/2023, dated 08.07.2023, seeking for prior environment clearance for quarrying rough stone in an area of 5.00.0 Ha. situate at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, comprised in S.F.No.679/2 (Part-2), without insisting any 'No Objection Certificate' or prior approval/permission under the Forest Conservation Act, 1980 and further directing the 4th respondent to issue such environmental clearance.

Prayer in W.P.No.22568 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 4th respondent herein to process with the petitioner's online application dated 04.07.2023, acknowledged vide Letter No.SEIAA-TN/F.No.10193/2023,



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dated 08.07.2023, seeking for prior environment clearance for quarrying rough stone in an area of 5.00.0 Ha. situate at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, comprised in S.F.No.679/2 (Part-3), without insisting any 'No Objection Certificate' or prior approval/permission under the Forest Conservation Act, 1980 and further directing the 4th respondent to issue such environmental clearance.

Prayer in W.P.No.22569 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 4th respondent herein to process with the petitioner's online application dated 05.07.2023, acknowledged vide Letter No.SEIAA-TN/F.No.10188/2023, dated 08.07.2023, seeking for prior environment clearance for quarrying rough stone in an area of 5.00.0 Ha. situate at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, comprised in S.F.No.679/2 (Part-4), without insisting any 'No Objection Certificate' or prior approval/permission under the Forest Conservation Act, 1980 and further directing the 4th respondent to issue such environmental clearance.

Prayer in W.P.No.22570 of 2023: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 4th respondent herein to process with the petitioner's online application dated 03.07.2023, acknowledged vide Letter No.SEIAA-TN/F.No.10192/2023, dated 08.07.2023, seeking for prior environment clearance for quarrying rough stone in an area of 5.00.0 Ha. situate at Thorapalli Agraharam Village, Hosur Taluk, Krishnagiri District, comprised in S.F.No.679/2 (Part-5),



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without insisting any 'No Objection Certificate' or prior approval/permission under the Forest Conservation Act, 1980 and further directing the 4th respondent to issue such environmental clearance.

For Petitioners : Mr.N.L.Raja, Senior Counsel
for S.Senthil in all W.Ps

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate for R1 to R3
in all W.Ps

Mr.Venkatasamy Babu for R4
in all W.Ps

COMMON ORDER

The petitioners have applied for a quarry licence and have complied with all other formalities. They have made online applications for obtaining clearance from the 4th respondent and that is pending.

2.Mr.S.J.Mohamed Sathik, the learned Government Advocate takes notice for the respondents 1 to 3. Mr.Venkatasamy Babu, the learned counsel takes notice for the 4th respondent in all the petitions.

3.Mr.N.L.Raja, the learned Senior Counsel submits that the petitioners have made their investments and have also obtained the mining licence from the



appropriate authority and their online applications for environmental clearance is pending since 08.07.2023.

4.Mr.Venkatasamy Babu, the learned counsel for the 4th respondent has provided a time line for completing its clearance and it reads as below:

"Timeline for Terms of Reference (ToR)

- *Screening, Scoping, Appraisal & TOR-60 Days*

Timeline for Environment Clearance (EC)

- *Appraisal - State Expert appraisal committee (SEAC) should be completed within 60 days from the date of receipt of Final EIA Report & Public Hearing report.*
 - *SEAC after appraisal recommendations shall be placed before the competent authority State Environmental Impact Assessment Authority (SEIAA) within the next 15 days.*
 - *SEIAA should furnish its decision within 30 days on the receipt of recommendation from SEAC.*
- Therefore, total EC process 105 days from the date of receipt of Final EIA Report & Public Hearing report."*

5.Heard the learned counsel for the petitioners in this regard briefly.



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6.Now, this Court approves the schedule provided by the 4th respondent for completing its assessment process.

7.This writ petition stands disposed of accordingly. No costs.

03.08.2023

Anu

Index : Yes / No

Neutral Citation

To

1.The Principal Secretary to Government,
Industrial Department,
Tamil Nadu Government,
Secretariate,
Fort St.George,
Chennai-600 009.

2.The Principal Secretary to Government,
Environment and Forest Department,
Tamil Nadu Government,
Secretariate,
Fort St.George,
Chennai-600 009.

3.The Commissioner of Geology and Mining,
Guindy,
Chennai-600 032.



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4.The State Level Environment Impact Assessment Authority,
Rep. by its Member Secretary,
3rd Floor, Panagal Maligal,
No.1, Jeenis Road,
Saidapet,
Chennai-600 015.

5.The District Collector,
Krishnagiri District,
Krishnagiri.

6.The Deputy Director,
Geology and Mining,
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