



WEB COPY



W.P.No.28006 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.28006 of 2018

and

W.M.P.No.32590 of 2018

M/s.Enterprising Enterprises,
Rep. by its Partner Mr.K.Badrinarayanan,
B-254, 50th Street, Ashok Nagar,
Chennai – 600 083.

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.

2.The State Level Environmental -
Impact Assessment Authority (SEIAA),
Rep. by its Chairman,
3rd Floor, Panagal Malaigai,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent's letter bearing Lr.No.SEIAA-TN/F.4400/2016/NGT, dated



W.P.No.28006 of 2018

02.06.2017, quash the same and direct the 2nd respondent to grant environment clearance by re-considering the application of the petitioner dated 12.10.2015, pertaining to government quarry lands measuring 1.30.5 Hecs, comprised in S.F.No.47/4, situated in KUNNAM Village, Vanur Taluk, Villupuram District.

For Petitioner : Mr.K.Ramakrishna Reddy
For Respondents : Mr.K.M.D.Muhilan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus, to call for the records of the second respondent's letter bearing Lr.No.SEIAA-TN/F.4400/2016/NGT, dated 02.06.2017, quash the same and to direct the second respondent to grant environment clearance by re-considering the application of the petitioner dated 12.10.2015, pertaining to government quarry lands measuring 1.30.5 Hecs, comprised in S.F.No.47/4, situated in KUNNAM Village, Vanur Taluk, Villupuram District.

2. The case of the petitioner is that the petitioner made an application dated 12.10.2015 before the second respondent seeking



W.P.No.28006 of 2018

Environment Clearance in respect of the subject granite quarry in the above said land. However, the second respondent rejected the petitioner's application vide impugned letter bearing Lr.No.SEIAA-TN/F.4400/2016/NGT, dated 02.06.2017. Challenging the same, the petitioner has filed the above writ petition before this Court for appropriate directions.

3. Though very many grounds have been raised in this writ petition, it would suffice, if this Court issues a direction to the second respondent to grant Environment Clearance by re-considering the application of the petitioner dated 12.10.2015, within a time frame that may be stipulated by this Court.

4. However, the learned Additional Government Pleader appearing for the respondents submits that, the second respondent has made clear in the impugned order that, the petitioner's application could not be processed by the second respondent and requested the petitioner to submit a proposal to the Ministry of Environment, Forest and Climate Change (MoEF&CC) for Environmental Clearance.



W.P.No.28006 of 2018

WEB COPY

5. In view of the above submissions made by the learned Additional Government Pleader, this Court, without expressing any opinion on the merits of the case, directs the petitioner to approach the Ministry of Environment, Forest and Climate Change (MoEF&CC) for Environmental Clearance within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

28.03.2023
(2/2)

Index: Yes/ No
Speaking Order/ Non-Speaking Order
Neutral Citation Case : Yes / No
sp



W.P.No.28006 of 2018

WEB COPY To

- 1.The Secretary to Government,
Industries Department,
Fort St. George,
Chennai – 600 009.
- 2.The Chairman,
State Level Environmental -
Impact Assessment Authority (SEIAA),
3rd Floor, Panagal Malaigai,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.



WEB COPY



W.P.No.28006 of 2018

M.DHANDAPANI, J.,

sp

W.P.No.28006 of 2018

28.03.2023
(2/2)