



W.P(MD)No.18778 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18778 of 2023

Thangappalani.R

... 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.
 - 3.The District Collector,
Virudhunagar District,
Virudhunagar.
 - 4.The Assistant Director of Mines,
Office of the District Collector,
Collectorate,
Virudhunagar District.
- ...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to process the petitioner's application / proposal the Online Proposal No. SIA/TN/MIN/413118 dated 04.01.2023 (File No.413118) based on the representation dated 12.06.2023 and grant Environmental Clearance to the petitioner to quarry in patta land measuring an extent of 3.84.05 Ha in S.F.No. 150/2(P), 151/2(P), 151/3(P) and 151/4(P) of Sevalpatti Village, Vembakottai Taluk, Virudhunagar District in accordance with law and on merits, within a time stipulated by this Court.

For Petitioner	: Mr.C.R.Deepak
For R1 & R2	: Mr.N.Dilip Kumar Standing Counsel
For R3 & R4	: Mrs.D.Farjana Ghoushia Special Government Pleader

ORDER

The petitioner has applied for a Rough stone quarry lease and the same was approved by the Commissioner of Geology and Mining with a direction to the petitioner to produce an Environmental Clearance Certificate from the competent authority.



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When the petitioner approached the second respondent seeking Environmental Clearance Certificate, the same was not considered that a fireworks factory is in existence at a distance of 160m from the petitioner's quarry site, thereby, the petitioner was also restricted to quarry in the site. On the suggestion made by the second respondent, the petitioner has submitted another application through online and that was also not considered. Hence, this petition.

2.Mr.N.Dilip Kumar, learned Standing Counsel who takes notice for the respondents 1 & 2 submits that the application submitted by the petitioner has been withdrawn by the petitioner on 03.04.2023. As on date, the petitioner has not submitted any fresh application. As and when he submits an online application, the same would be considered in accordance with law within a reasonable time.

3.Recording the submission made by the learned Standing Counsel, this writ petition is closed with a liberty to the



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petitioner to approach the respondents 1 & 2 along with a fresh application through online. No costs.

03.08.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes

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To

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

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

3.The District Collector,
Virudhunagar District,
Virudhunagar.

4.The Assistant Director of Mines,
Office of the District Collector,
Collectorate,
Virudhunagar District.



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B.PUGALENDHI, J.

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Order made in
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