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W.P.Nos.32017 & 32022 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2024

CORAM:

**THE HON'BLE MR.JUSTICE S.S.SUNDAR
and
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

W.P.Nos.32017 & 32022 of 2023

M/s.Thriveni Earth Movers Pvt. Ltd.,
Represented by its Authorized Signatory,
SPR. Venkataachalam,
No.22/110,
Greenways Road,
Fairlands,
Salem – 636 106.

...Petitioner in both cases

vs.

1.The Commissioner of Geology and Mining,
Guindy,
Chennai – 600 032.

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

3.Tamil Nadu Pollution Control Board,
Rep. by its Member Secretary,
No.76, Anna Salai,
Guindy,
Chennai – 600 032.

4.The District Collector,
Krishnagiri District,
Krishnagiri.

5.The Deputy Director,



Geology and Mining,
Krishnagiri District.

...Respondents in both cases

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Prayer in W.P.No.32017/2023: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned communication of the 1st respondent dated 19.05.2023 vide Rc.No.3487/MM1/2023 and quash the same and consequently directing the respondents 1 and 5 to accept the seigniorage fees and to issue transport permit for transporting rough stone for the approved quantity as per the mining plan dated 17.02.2021 approved by the 5th respondent pertaining to the petitioner's quarry situate in Kamandoddi Village, Soolagiri Taluk (previously in Hosur Taluk), Krishnagiri District, comprised in S.No.665 (Part-1), based on the renewal of consent order dated 09.05.2023 issued by the 3rd respondent in the light of S.O.221(E) dated 18.01.2021 and S.O.1807 (E) dated 12.04.2022 issued by the Ministry of Environment, Forest and Climate Change, New Delhi by considering the petitioner's representation dated 31.05.2023.



Prayer in W.P.No.32022/2023: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned communication of the 1st respondent dated 19.05.2023 vide Rc.No.3488/MM1/2023 and quash the same and consequently directing the respondents 1 and 5 to accept the seigniorage fees and to issue transport permit for transporting rough stone for the approved quantity as per the mining plan dated 17.02.2021 approved by the 5th respondent pertaining to the petitioner's quarry situate in Kamandoddi Village, Soolagiri Taluk (previously in Hosur Taluk), Krishnagiri District, comprised in S.No.665 (Part-2), based on the renewal of consent order dated 09.05.2023 issued by the 3rd respondent in the light of S.O.221(E) dated 18.01.2021 and S.O.1807 (E) dated 12.04.2022 issued by the Ministry of Environment, Forest and Climate Change, New Delhi by considering the petitioner's representation dated 31.05.2023.

For Petitioner in both cases : Mr. Iyyadurai, Senior Advocate

For Respondents in both cases : Mr.P.Kumaresan,
Additional Advocate General
assisted by Mr.J. Daniel
for R1, R4 & R5
Mr. Venkatesan Babu, CGSC for R2
Mrs. Shanmugavalli for R3
Standing Counsel



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COMMON ORDER

(Order of the Court was made by S.S.Sundar, J.)

The learned Additional Advocate General was earlier directed to report as to the decision taken on the application submitted by the petitioner seeking renewal of Environmental Clearance.

2.Today, the learned Additional Advocate General reports that the application will be processed only if the petitioner appears and participates in the enquiry.

3.When the submission of application is admitted, the respondents ought to have issued notice calling upon the petitioner to appear if they want any clarification.

4.In view of the stand taken by the learned Additional Advocate General, the petitioner is directed to appear before the second respondent on 03.04.2024. On that date, the petitioner shall be heard and the respondents shall consider the application, in the light of Official Memorandum dated 13.12.2022 and pass appropriate orders within a period of two weeks thereafter.



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5. With the aforesaid directions, the Writ Petition is disposed of. No

costs.

(S.S.S.R.,J.) (N.S.,J.)
26.03.2024

Index: yes/no
Speaking order: yes/no
Neutral Citation: yes/no
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To

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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

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