



W.P.(MD)No.27266 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.27266 of 2024

and

W.M.P.(MD)No.23083 of 2024

A.Ajikumar

... Petitioner

/Vs./

1. The District Collector
Kanyakumari District.
2. The Assistant Director,
Department of Geology and Mining,
Office of District Collector,
Kanyakumari District.
3. The Deputy Director,
Department of Geology and Mining,
Office of District Collector,
Kanyakumari District.
4. The Chairman,
State Level Environment Impact
Assessment Authority (SEIAA),
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai-15.
(R4 suo-motu impleaded by this Court order
dated 29.11.2024)

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings bearing Rc. No. 350/G and M/2008 dated 25.07.2024 and quash the same in so far as relates to clause 9 insisting to produce Environmental clearance certificate for extension of lease and consequently direct the respondents to grant extension of lease for further period of 5 years from 2025-2030 in the petitioner's patta land in S.F.No. 483/1C(P) over an extent of 1.40.0 Hectares in Mecode Village at Thiruvattar Taluk in Kanyakumari District as per G.O.(Ms).No. 208 Industries (MMC.1) Department dated 21.09.2020.

For Petitioner : Mr.Sricharan Rangarajan, Senior Counsel
for Mr.K.Gnana Guru Nathan

For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the third respondent dated 25.07.2024, in so far as relates to clause 9, thereby insisting to produce Environmental clearance certificate for extension of lease for further period of 5 years from 2025-2030 in the petitioner's patta land comprised in S.F.No. 483/1C(P) over an extent of 1.40.0 Hectares in Mecode Village, Thiruvattar Taluk, Kanyakumari



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District, as per G.O.(Ms).No. 208 Industries (MMC.1) Department dated 21.09.2020.

2. Heard the learned counsel on either side and perused the materials available on record.

3. Though the petitioner challenged the direction issued by the third respondent insofar as Clause 9, thereby, directed the petitioner to produce Environmental Clearance Certificate obtained from the State Level Environment Impact Assessment Authority (SEIAA), Chennai, the petitioner is now willing to apply before SEIAA for Environmental Clearance Certificate for the subject property for the extension of lease period from 2025-2030.

4. In view of the above, this Court suo-motu impleads, the Chairman, State Level Environment Impact Assessment Authority (SEIAA), Chennai, as fourth respondent. The petitioner is directed to apply fresh application for Environmental Clearance Certificate within a period of one week from today before the fourth respondent for



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issuance. On receipt of the same, the fourth respondent is directed to consider the application submitted by the petitioner, as per G.O.(Ms).No. 208 Industries (MMC.1) Department dated 21.09.2020 and the earlier Environmental Clearance Certificate dated 02.03.2016 for the subject property and dispose the application within a period of two weeks thereafter.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

29.11.2024

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
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Note: Issue order copy on 03.12.2024

TO:-

1. The District Collector
Kanyakumari District.
2. The Assistant Director,
Department of Geology and Mining,
Office of District Collector,
Kanyakumari District.
3. The Deputy Director,
Department of Geology and Mining,
Office of District Collector,
Kanyakumari District.
4. The Chairman,
State Level Environment Impact
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G.K.ILANTHIRAIYAN, J.

LS

Order made in
W.P.(MD)No.27266 of 2024

Dated:
29.11.2024