



2025:KER:28677

WP (C) .NO. 656/2017

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 3RD DAY OF APRIL 2025 / 13TH CHAITHRA, 1947

WP(C) NO. 656 OF 2017

PETITIONER:

M.K. BABU,
S/O.M.P.KANNAN, AGED 43 YEARS, MARUTHULLA PARAMBIL
HOUSE, KUNDUTHODE PO, KAVILUMPARA VIA, KOZHIKODE
DISTRICT, PIN 673513.

BY ADVS. SRI.BABU JOSEPH KURUVATHAZHA &
SMT.KARTHIKA MARIA

RESPONDENTS:

1 UNION OF INDIA,
REPRESENTED BY ITS SECRETARY, MINISTRY OF
ENVIRONMENT, FOREST & CLIMATE CHANGE, PARIYAVARAN
BHAVAN, CGO COMPLEX, LODHI ROAD, NEW DELHI 110003.

2 GOVERNMENT OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF
ENVIRONMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695001.

3 STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY,
KERALA, PALLIMUKKU, PETTAH PO, THIRUVANANTHAPURAM
695024, REPRESENTED BY ITS MEMBER SECRETARY.



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4 DISTRICT LEVEL EXPERT APPRAISAL COMMITTEE (DEAC) ,
WAYANAD DISTRICT, KALPETTA PO, PIN 673 121,
REPRESENTED BY ITS CHAIRPERSON (EXECUTIVE ENGINEER,
IRRIGATION DIVISION, WAYANAD DISTRICT) .

5 DISTRICT LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY (DEIAA) , KOZHIKODE DISTRICT, CIVIL
STATION, COLLECTORATE, KOZHIKODE DISTRICT, CIVIL
STATION, COLLECTORATE, KOZHIKODE DISTRICT, PIN 673
020, REPRESENTED BY ITS CHARIPERSON (DISTRICT
COLLECTORATE/ DISTRICT MAGISTRATE, COLLECTORATE,
CIVIL STATION, KOZHIKODE 673020) .

6 SATHYANANTHAN A. ,
RETIRED DEPUTY CONSERVATOR OF FORESTS, 34/111CCC,
CHAITHANYA, VAZHATHURUTHI, CIVIL STATION, KOZHIKODE
673020 .

7 RADHAKRISHNA LAL K. ,
RETIRED FOREST RANGE OFFICER, BEENACHI, BEENACHI PO,
SULTHAN BATHERY - VIA, WAYANAD DISTRICT, PIN 673592 .

SMT.MINI GOPINATH, CGC
SRI.DHEERAJ A.S. , GP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
03.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



MOHAMMED NIAS C. P. , J.

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W. P. (C) No. 656 of 2017

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Dated this the 3rd day of April, 2025

J U D G M E N T

The writ petition is filed with the following prayers:

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1. *Issue a writ of quo-warranto calling upon the respondents to explain how the 6th and 7th respondents are entitled to function as Members of District Level Environment Impact Assessment Authority (DEIAA) of Kozhikode district and District Level Expert Appraisal Committee (DEAC) of Wayanad district respectively;*
2. *Issue a writ of prohibition or any other appropriate order or direction restraining/injuncting the 6th and 7th respondents from functioning as Expert Members of the 5th and 4th respondents (District Level Environment Impact Assessment Authority (DEIAA) of Kozhikode district and District Level Expert Appraisal Committee (DEAC) of Wayanad district respectively);*
3. *Issue such other writ, order or direction which may deem fit in the facts and circumstances of the case.”*

2. Upon admission of the writ petition, an interim order was passed staying the appointments of respondent Nos. 6 & 7 and restraining them from acting as members of respondent Nos. 4 & 5.

3. The learned Government Pleader has filed a statement stating that Sri.



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Satyanathan, the 6th respondent, did not have the requisite qualifications and was therefore replaced by another person. The District Collector issued an order on 4.1.2019 appointing Dr.Ashokan, Senior Scientist, CMFRI, Kozhikode, for six months.

4. The above statements are recorded. In view of the above, nothing further remains to be considered in this writ petition and the same is closed.

Sd/-

MOHAMMED NIAS C. P., JUDGE

MMG



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APPENDIX OF WP (C) .NO.656/2017

PETITIONER'S EXHIBITS:

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| EXHIBIT P1 | TRUE COPY OF THE NOTIFIATION NO. SO.NO. 141(E) DATED 15.01.2016 PUBLISHED BY THE 1ST RESPONDENT IN THE GAZETTE OF INDIA EXTRA ORDINARY |
| EXHIBIT P2 | TRUE COPY OF THE RELEVANT PAGES OF THE PROCEEDING ISSUED BY THE 2ND RESPONDENT ALONG WITH THE GO (MS)NO. 45/2013/F & WLD DATED 19.14.2013 DETAILING THE QUALIFICATION OF THE 6TH RESPONDENT |
| EXHIBIT P3 | TRUE COPY OF THE RELEVANT PAGE OF THE ORDER ISSUED BY THE COMPETENT AUTHORITY UNDER THE RESPONDENTS 1 TO 3 AND 5, DETAILING THE MEMBERSHIP OF THE 6TH RESPONDENT AS EXPERT MEMBER OF DEIAA OF KOZHIKODE DISTRICT |
| EXHIBIT P3 A | TRUE COPY OF THE RELEVANT PAGE OF THE PROCEEDING OF THE CHIEF CONSERVATOR OF FORESTS DETAILING THE QUALIFICATIONS OF THE 7TH RESPONDENT AS B.A.NO. AND HIS APPOINTMENT AS RANGE FOREST OFFICER ON 30.06.2004 |
| EXHIBIT P4 | TRUE COPY OF THE RELEVANT PAGES OF THE LIST OF MEMBERS OF DEAC PUBLISHED BY THE COMPETENT OFFICER AMONG THE RESPONDENTS 1 TO 4 |