

IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 12<sup>TH</sup> DAY OF MAY, 2020/22<sup>ND</sup> VAISAKHA, 1942  
W.P(C) NO.9766 OF 2020

PETITIONER :

M/S. TMT GRANITES PVT. LTD.,  
MANGALAM DAM P.O,  
PALAKKAD.  
REPRESENTED BY ITS MANAGING DIRECTOR  
SRI. TOM GEORGE.

BY ADVS. SRI. ENOCH DAVID SIMON JOEL,  
SRI.RONY JOSE,  
SRI.GEORGE A. CHERIAN  
SRI.LEO LUKOSE

RESPONDENTS

1. STATE OF KERALA,  
REPRESENTED BY THE SECRETARY,  
DEPARTMENT OF INDUSTRIES,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001.
2. DIRECTOR OF MINING AND GEOLOGY,  
DIRECTORATE OF MINING AND GEOLOGY,  
KESAVADASAPURAM, PATTOM PALACE P.O.,  
THIRUVANANTHAPURAM-695004.
3. DISTRICT GEOLOGIST,  
DISTRICT OFFICE,  
TOWN BUS STAND COMPLEX,  
PALAKKAD-678014.
4. DIVISIONAL FOREST OFFICER,  
NENMARA FOREST DIVISION,  
NENMARA P.O, PALAKKAD-678508.

R1-4 BY SRI.K.P.HARISH, GOVERNMENT PLEADER

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON 12.05.2020,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

The learned Government Pleader to get instruction and file a statement specifically adverting to the contention of the petitioner that the site in question falls even outside the 10 k.m radius of the nearest Wildlife Sanctuary and threfore, no restriction can be placed on his operations.

Post on 20.05.2020.

**GOPINATH P  
JUDGE**

**SMA**

APPENDIX

PETITIONER'S EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE QUARRYING LEASE DATED 18.05.2017 VALID TILL 17.05.2029 ISSUED TO THE PETITIONER.
- EXHIBIT P1 (A) : TRUE COPY OF THE CONSENT TO OPERATE THE QUARRY ISSUED BY THE POLLUTION CONTROL BOARD VALID TILL 31.05.2020.
- EXHIBIT P1 (B) : TRUE COPY OF THE D&O LICENSE FOR THE PERIOD 2019-20.
- EXHIBIT P1 (C) : TRUE COPY OF THE ENVIRONMENTAL CLEARANCE CERTIFICATE DATED 23.04.2016 VALID TILL 22.04.2021.
- EXHIBIT P2: TRUE COPY OF THE NOTICE DATED 09.10.2019 WITH NO.DOP/2086/2019/A1 ISSUED BY THE 3<sup>RD</sup> RESPONDENT.
- EXHIBIT P3: TRUE COPY OF THE LETTER DATED 28.10.2019 ISSUED BY THE 4<sup>TH</sup> RESPONDENT.
- EXHIBIT P3 (A) : TRUE COPY OF THE INFORMATION DATED 12.12.2019 OBTAINED UNDER THE RTI ACT.
- EXHIBIT P4 : TRUE COPY OF THE JUDGMENT DATED 06.02.2020 IN WP(C) NO. 3243/2020 ON THE FILES OF THIS HON'BLE COURT.
- EXHIBIT P5: TRUE COPY OF THE RECEIPT DTD. 31.12.2019 ISSUED BY THE MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE CHANGE.
- EXHIBIT P6: TRUE COPY OF THE ORDER DATED 17.03.2020 WITH NO. 144/2019-20/DOP/444/2020/A1 ISSUED BY THE 3<sup>RD</sup> RESPONDENT.
- EXHIBIT P7: TRUE COPY OF THE LETTER DATED 23.03.2020 WITH NO. 6426/M3/2019 ISSUED BY THE 2<sup>ND</sup> RESPONDENT ALONG WITH THE PRESCRIBED AFFIDAVIT.