

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE GOPINATH.P.

TUESDAY, THE 15TH DAY OF MAY, 2020/25TH VAISAKHA, 1942

W.P(C) NO.9940 OF 2020

PETITIONER :

GIRIJAN, S/O.RAJU,
AGED 52 YEARS, KURUPPATHUPARAMBIL HOUSE,
KUNDUKAD P.O., KILLANNOOR VILLAGE,
THRISSUR TALUK, THRISSUR DISTRICT.

BY ADV. SRI.P.M. ZIRAJ

RESPONDENTS :

1. THE MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE,
JOBAGH ROAD, NEW DELHI, PIN-110 003 REPRESENTED BY
SECRETARY TO GOVERNMENT, GOVERNMENT OF INDIA, NEW DELHI
2. THE DIRECTOR, MINING AND GEOLOGY,
OFFICE OF THE MINING AND GEOLOGY,
KESAVADASAPURAM, PATTAM, THIRUVANANTHAPURAM - 6950
01
3. THE DISTRICT GEOLOGIST, DEPARTMENT OF MINING AND
GEOLOGY, THRISSUR DISTRICT - 680 001.
4. THE STATE ENVIRONMENTAL IMPACT ASSESSMENT AUTHORITY,
(SEIAA), REPRESENTED BY ITS DIRECTOR, DIRECTORATE OF
ENVIRONMENT AND CLIMATE CHANGE, PALLIMUKKU,
PETTAH P.O, THIRUVANANTHAPURAM, PIN - 695 024
5. CHIEF FOREST CONSERVATOR (WILD LIFE), NORTHERN REGION,
ARANYA BHAVAN FOREST COMPLEX, OLAVAKKODE,
PALAKKAD - 678 002
6. FOREST RANGE OFFICER, PATTIKKAD RANGE,
THRISSUR DISTRICT, PIN - 680 652
7. WILD LIFE WARDEN, WILD LIFE DIVISION, PEECHI,
THRISSUR DISTRICT, PIN - 680 653
8. STATE OF KERALA REPRESENTED BY THE SECRETARY TO
GOVERNMENT, INDUSTRIES (A) DEPARTMENT,

GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001

9. RUDRA GRANITES, NEENDUTHALAYKKAL, KUNDUKAD,
THRISSUR - 680 028 REPRESENTED BY ITS PROPRIETOR.

R1 BY ASGI

R2 TO R8 BY GOVERNMENT PLEADER SMT.VINITHA.B

R9 BY SC

THIS WRIT PETITION HAVING COME UP FOR ADMISSION ON
15.05.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING :

Dated this the 15th day of May, 2020

ORDER

Admit.Assistant Solicitor General accepts notice for respondent No.1.Govt. Pleader accepts notice for respondents 2, 3, 4, 5, 6, 7 and 8. Sri.M.P.Sreekrishnan, Standing Counsel accepts notice on behalf of respondent No.4. Notice by speed post/e-mail to respondent No.9. The 2nd respondent shall immediately cause an inspection of the quarry being operated by the 9th respondent. While conducting such inspection the respondent will also inform respondents 5,6 and 7 and a joint report of such inspection shall be filed before this Court within three weeks from today.

GOPINATH . P , JUDGE

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1:- TRUE COPY OF THE PROCEEDINGS OF THE SECOND
RESPONDENT DATED 22.09.2016

EXHIBIT P2:- TRUE COPY OF THE JUDGMENT OF THE DIVISION BENCH
OF
THIS HONOURABLE COURT REPORTED IN BINOY KUMAR
VS.
STATE OF KERALA 2019 (2) KLT 227

EXHIBIT P3:- TRUE COPY OF THE JUDGMENT OF THIS HONORABLE
COURT

IN IDENTICAL MATTER DATED 29.11.2019 IN WPC NO.
17679 OF 2019

EXHIBIT P4:- TRUE COPY OF THE ENVIRONMENT CLEARANCE NO.
106/2016
DATED 09-08-2016 ISSUED BY THE FOURTH
RESPONDENT

EXHIBIT P5:- TRUE COPY OF THE ORDER DATED 29.5.2017 ISSUED BY
THE THIRD RESPONDENT PERMITTED THE NINTH
RESPONDENT TO TRANSPORT OVER BURDEN

EXHIBIT P6:- TRUE COPY OF THE COMMUNICATION DATED 30.10.2019
ISSUED BY THE SEVENTH RESPONDENT UNDER
RIGHT TO
INFORMATION ACT

EXHIBIT P7:- TRUE COPY OF THE APPLICATION DATED 27.1.2020
SUBMITTED BY THE PETITIONER BEFORE THE
SECOND
RESPONDENT

EXHIBIT P8:- TRUE COPY OF THE APPLICATION DATED SUBMITTED BY
THE
PETITIONER BEFORE THE THIRD RESPONDENT

RESPONDENTS' EXHIBITS : NIL