

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI

APPEAL NO 4 OF 2025

IN THE MATTER OF:

Shaji A K

..... Appellant

Vs

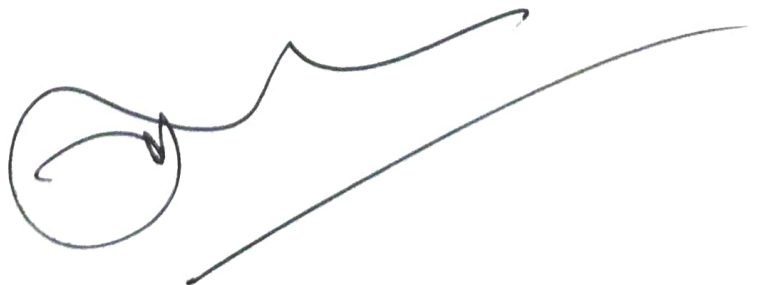
The State Environment Impact Assessment Authority,

SEIAA , Kerala and others

..... Respondents

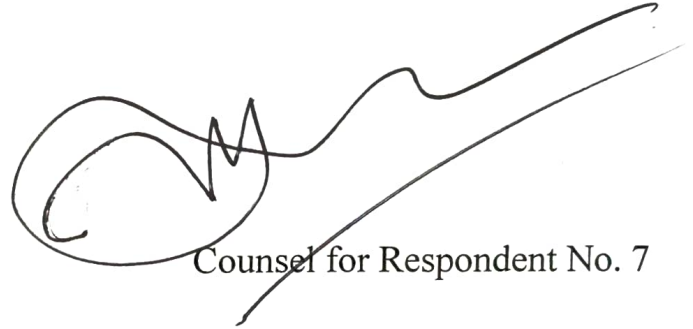
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Dated at Kochi on this the 28th day of January, 2026



Counsel for Respondent No. 7

PRAVEEN K JOY

Advocate

High Court of Kerala

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Opp: Central Police Station

Ernakulam-682018

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BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI

APPEAL NO 4 OF 2025

IN THE MATTER OF:

Shaji A K

..... Appellant

Vs

The State Environment Impact Assessment Authority,

SEIAA , Kerala and others

..... Respondents

2ND ADDITIONAL REPLY FILED BY THE 7TH RESPONDENT

I, M P Lalu , S/o. M K Pavithran, Mankudi House, Kodanad PO, Kurichilakode, Ernakulam District- 683544, do hereby solemnly affirm and sincerely state as follows:

1. I am well acquainted with the facts of the case from the available records and I am the Respondent No.7. I crave leave of the Hon'ble Tribunal to file statement as and when additional facts are available to the Respondent. The matter was taken up on 06/04/2026 and posted for hearing. But the events which took place in the



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meantime has to be pointed out for the proper disposal of the matter. This Hon'ble Tribunal directed and granted time for filing the Additional reply. The averment in the reply of 3rd respondent is also taken. I have received the rejoinder copy of appellant on 10.12.2025. The writ petition 13466/2026 was filed and interim orders were issued and subsequently modifying order was issued on 04/06/2026 in WP 13466/2026 by High Court Of Kerala and all these additional facts which relates to the present case has to be brought on record by this 2ND additional reply. Hence this 2nd additional reply is filed.

2. At the outset it is submitted that Annexure R7 A to Annexure R7 I are already produced. It is submitted that interim orders were issued in WP 13466/2026 by High Court Of Kerala. A true copy of the order dated 06.04.2026 in WP 13466/2026 by High Court Of Kerala is produced and marked as **Annexure R7 J.** The interim prayer sought for is as follows: "to issue a direction restraining the respondents from taking any coercive steps against the environmental clearance of the petitioner, for want of compliance of dsr 2018 in terms of s.o.no.3611(e) and for reliance on the dsr prepared in terms of s.o.141(e), till the disposal of the above writ petition". The interim order issued on 06.04.2026 in WP 13466/2026 by High Court Of Kerala is as follows: "Admit. Learned Standing Counsel takes notice for the 1st respondent. Learned Govt. Pleader takes notice for respondents 2 and 3. Learned Central



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Government Counsel takes notice for the 4th respondent. Issue notice by speed post to the 5th respondent. In similar circumstances, this Court has granted interim order as prayed for, for a period of two months as per Ext.P11 order. Therefore, there shall be an interim order as prayed for, for a period of three months. Post on 04.06.2026.”

3. It is submitted that interim orders were modified in IA No 1/2026 in WP 13466/2026 by High Court Of Kerala. A true copy of the order dated 04.06.2026 in IA No 1/2026 in WP 13466/2026 by High Court Of Kerala is produced and marked as **Annexure R7 K.** The modified interim order issued on 04.06.2026 in WP 13466/2026 by High Court Of Kerala is as follows :

“ 1. This application is filed by the 5th respondent seeking to vacate the interim Order issued by this Court on 06.04.2026. As per the interim Order, the respondents are restrained from taking any coercive steps against the Environmental Clearance (E.C.) granted in favour of the petitioner for want of compliance of the D.S.R 2018 in terms of S.O.No.3611(E) and for reliance on the D.S.R. prepared in terms of S.O.No.141(E), for a period of three months.



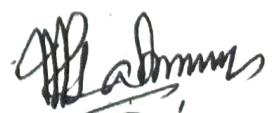
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2. Heard the learned counsel for the petitioner in this I.A, as also, the learned counsel for the petitioner in the Writ Petition.

3. Learned counsel for the petitioner in this I.A. would submit that an Appeal is pending before the National Green Tribunal (N.G.T), which is produced at Ext.P7 in this Writ Petition, challenging the E.C. granted to the petitioner. Learned counsel would clarify that the challenge is premised on the non-adherence to the D.S.R of the year 2016; and not for want of compliance of the D.S.R of the year 2018. Because of the pendency of this Writ Petition and the interim Order, the N.G.T may not hear Ext.P7 Appeal, which is scheduled for hearing on 12.06.2026. Learned counsel would either seek the interim Order to be vacated or would seek a clarification enabling continuance of the Appeal, which according to the learned counsel has been filed as permitted by a judgment rendered by a Division Bench of this Court, produced at Ext.R5(b).

4. Learned counsel for the petitioner in the writ petition would submit that there is no Order interdicting the hearing of the Appeal and hence no clarification as sought for by the petitioner in the I.A is required. Secondly it was pointed out that, a declaration has been sought for in this Writ Petition




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to the effect that the E.C. issued to the petitioner by placing reliance upon D.S.R of the year 2016 is valid, and that compliance of D.S.R in terms of Ext.P6 notification is impossible in law. The learned counsel would submit that if the Appeal is allowed, there will be immediate action taken by the Authorities against the petitioner, as also, similarly placed project proponents.

5. Having heard the learned counsel appearing for the respective parties, this Court clarifies that the interim Order granted will not preclude the N.G.T from hearing the Appeal preferred by the 5th respondent on its merits. With the above clarification, the interim Order will stand sustained. Post the Writ Petition on 06.07.2026.”

4. The appeal is not maintainable . The sole ground of appeal is with respect to for want of compliance of the D.S.R 2018 in terms of S.O.No.3611(E) and for reliance on the D.S.R. prepared in terms of S.O.No.141(E), which is under challenge in batch cases and all stayed also, to the knowledge of this respondent. That issue has to be decided as a Constitutional issue, by the Writ Court. On that ground and all other Grounds itself the appeal is liable to be rejected. In Annexure 25 orier the one month interim order was reviewed and only period of one month was granted to



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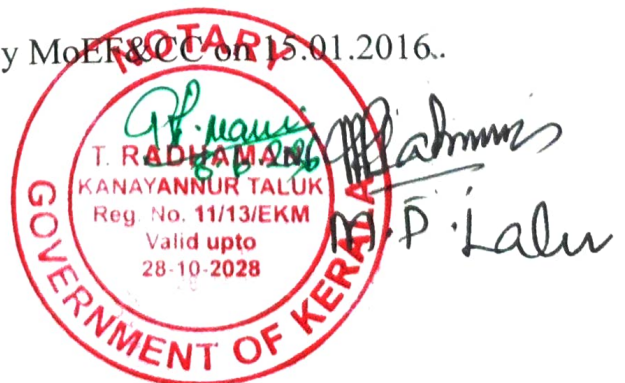
approach the Tribunal in proper appeal. Further the direction sought by petitioner for implementation of Ext P12 was declined. Further the appellant has challenged the orders in **SLP 11251/24 and SLP 11253/24** and **both the SLP were dismissed on 17.05.2024** by the Hon'ble Supreme Court of India. Hence those orders and judgment of Hon'ble High Court has become final. The period involved will be from 19/12/2023 to 08/04/2025. Only that period is exempted. The order in IA 7/2024 in WP 43954/24 only said period involved before High Court shall be excluded. On the question of limitation also, this appeal fails and has to be rejected.

5. The filing of Writ petition 43954/2023 on 19/12/2023 or the Judgment dated 08/4/2024 *leaving open the question with liberty to challenge the Environment Clearance before Tribunal* within one month from 8.4.25, will not extend the period of limitation. The order in IA 7/2024 in WP 43954/24 only said period involved before High Court shall be excluded. The period involved will be from 19/12/2023 to 08/04/2025. The present appeal is seen filed only on 20.10.2024. The application or representation at wrong forum or wrong challenge is no ground for condonation of delay. On that ground also the appeal is liable to be rejected, as not maintainable. It is submitted that allegations levelled in rejoinder and Appeal 4/2025 are all baseless and liable to be rejected. The Environmental Clearance was issued to 7th respondent for the Granite Building Stone Quarry Project for an area of 1.4336 Ha.



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at Re-Sy Block No. 37, Re-Sy Nos. 74/1Dpt, 74/608pt in Kuttoor Village, Payyannur Taluk, Kannur on 20.09.2023. The Environmental Clearance was issued by the EIA notification - 2006, of MoEF&CC and its subsequent amendments. During the appraisal process, the SEAC conducted the field inspection in and around the area and verified all the relevant documents including the cluster certificate issued from the District Geologist, Kannur, Mining and Geology Department. The SEAC/SEIAA assessed the cluster condition based on the amendments in EIA notification 2006, issued by MoEF&CC on 15.01.2016 (Annexure-A4), 01.07.2016 (Annexure-A5), 25.07.2018 (Annexure- A6), 14.08.2018 (Annexure-A7), the order of the National Green Tribunal dated 13.09.2018 and OM dated 12.11.2018 (Annexure-A8). As per the cluster certificate dated 24.06.2022 by the District Geologist, Kannur, it is noted that there are two quarries, viz; M/s Megha Engineering & Infrastructure Ltd. having an area of 2.1854 Ha and M/s RDS project Ltd. having an area of 0.9933 Ha (quarrying permit expired), within 500m radius of the proposed project area of 7th Respondent. Altogether the total cluster area is 4.6123 Ha. (1.4336+2.1853+0.9933). Since the total cluster area including the cluster certificate issued from the District Geologist, Kannur, Mining and Geology Department. The SEAC/SEIAA assessed the cluster condition based on the amendments in EIA notification 2006, issued by MoEF&CC on 15.01.2016.



(Annexure-A4), 01.07.2016 (Annexure-A5), 25.07.2018 (Annexure- A6), 14.08.2018 (Annexure-A7), the order of the National Green Tribunal dated 13.09.2018 and OM dated 12.12.2018 (Annexure-A8). As per the cluster certificate dated 24.06.2022 by the District Geologist, Kannur, it is noted that there are two quarries, viz; M/s Megha Engineering & Infrastructure Ltd. having an area of 2.1854 Ha and M/s RDS project Ltd. having an area of 0.9933 Ha (quarrying permit expired), within 500m radius of the proposed project area of 7th Respondent. Altogether the total cluster area is 4.6123 Ha. (1.4336+2.1853+0.9933). Since the total cluster area the judgment of the Hon'ble NGT in OA 75 of 2021 and recommended EC for this project with 23 site Specific Conditions in addition to the General Conditions for mining of minor minerals. It is submitted that *before the issuance of Environmental Clearance, the SEIAA/SEAC has scrutinized all the relevant documents pertaining to the application for Environmental Clearance and sought several additional documents in various meetings, and also got report from stakeholder departments.* The shortcomings were rectified during the appraisal process and a field inspection by the Sub-Committee was also conducted for the ground realities and verified the adjacent areas. Since all the due procedures were followed before the issuance of EC by SEIAA, the contention of the petitioner is baseless. The judgment of the Hon'ble NGT is pertaining to the project of the M/s



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RDS Project Pvt. Ltd which is also situated in the same survey No. 74/1D. SEIAA has granted two EC's in the adjacent area, where there are resources available as per the approved mining plan. The two project areas are not part of the RDS Project area, even if it is in the same Sy. No. as that of RDS. During the appraisal process of this project, the SEAC noted that as per the joint committee report, quoted in the judgment of Hon'ble NGT in OA 75/2021, no further mining lease can be granted as the resources have been exhausted in that area. However, the statement was pertaining to the violation reported area of M/s RDS project. Besides, the mining plan for those projects were approved by the Mining & Geology Department, since there is resource to extract. It could be seen that as per the field visits conducted by SEAC subcommittee, and the report from the District Geologist, the boundaries of the quarry of Sri. M.P Lalu was not overlapping with other quarries in the area. As per the Order of the Hon'ble NGT dated 25.01.2022 in OA No.75/2021, there is only one direction to SEIAA, ie: to take action against the Project Proponent, M/s RDS Project Ltd. for violation of EC conditions. The Authority in its 113th meeting held on 19th & 20th April 2022, noted the direction of the Hon'ble NGT in OA No. 75/2021 and observed that the direction towards SEIAA is to take appropriate action against the M/s RDS Project Pvt. Ltd. for the violation of the EC conditions. As part of the action against the violation of the Environmental Clearance conditions, Show



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Cause Notice was issued to the Project Proponent of M/s RDS project on 07.06.2022, with a direction to submit the explanation within 3 weeks from the date of receipt of Show Cause Notice. Even after the allowed period, no reply has been received from the Project Proponent to the Show Cause Notice. The Authority cancelled the EC issued to M/s RDS Project Pvt, Ltd. its proceedings dated 19.11.2022. Now that the 3rd respondent filed reply stating that the 3rd respondent also rejected the fresh EC application submitted by M/s RDS Project Pvt Ltd . Hence the entire allegations are all false and frivolous. The SEAC/SEIAA assessed the cluster condition based on the amendments in EIA notification 2006, issued by MoEF&CC on 15.01.2016 (Annexure-A4), and the order of the Hon'ble National Green Tribunal dated 13.09.2018. During the appraisal process of the proposal, the SEAC subcommittee had conducted a field visit on 23.06.2022 and reported that there is an abandoned quarry within 500 m radius. Based on this observation, the SEAC sought recent cluster certificate. As per the cluster certificate dated 24.06.2022 from the Mining and Geology Department, it is noted that there are two quarries, viz; M/s Megha Engineering & Infrastructure Ltd. having an area of 2.1854 Ha (Letter of intent was granted as per the cluster certificate and EC was granted on 24th March 2023) and M/s RDS project Ltd. 0.9933 Ha (quarrying permit expired), with in 500m to the proposed project area. Altogether the total cluster area is 4.6123 Ha.



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(1.4336+2.1853+0.9933). Since the total cluster area becomes less than 5 Ha., as per the existing norms there was no cluster situation, for getting EIA report & public hearing, as the cluster area is below 5Ha. Also, as per the letter dated 03.11.2022, from the District Geologist, Kannur, no boundary overlaps were reported in the project area. Since no cluster area of more than 5 ha is recognized in the project area, the SEIAA/SEAC appraised the application based on the EMP and other documents stipulated as per EIA Notification, 2006 and issued Environmental Clearance. Hence the averment of the petitioner is baseless. The question is pending consideration before Honble High Court of Kerala. The issue is pending consideration in batch cases, before High Court of Kerala. It is understood that the appraisal of the EC application, based on the DSR made mandatory as per the Notification dated 16.01.2016 and prior to that, there was no DSR. The Mining & Geology Department prepared the DSR based on the guideline issued in 2016 and published the DSR in November 2016. It is true that the proposal was appraised by considering the DSR prepared in the year 2016. The said DSR was prepared by the Mining & Geology Department based on the S.O.141(E) of MoEF&CC dated 15.01.2016. Later the MoEF&CC vide its OM dated 25.07.2018 published the guidelines for the preparation of DSR. The Mining & Geology Department is revising the 2016 DSR based on the revised guideline. A few Project Proponents were submitted application



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to MoEF&CC during the time of expiry of the SEIAA Kerala and during appraisal, the EAC of MoEF&CC directed to provide DSR as per OM dated 25.07.2018. As per the judgment dated 16.02.2022, in WP(C) No 5209/2022, the Hon'ble High Court of Kerala issued direction to EAC to use the existing DSR. It is understood that the DSR prepared by the Department of Mining & Geology in November 2016 was considered while appraising the application for EC, by considering the judgment of the Hon'ble Court. It is understood that regarding the implementation of Annexure A6 notification, the Authority informed the Mining and Geology Department to expedite the revision of the DSRs and they had prepared draft DSR for the minor minerals of Kollam and Kannur and submitted to SEIAA and is under scrutiny of SEAC. It is understood that after thorough verification, the DSRs will be approved with changes or modifications if any and also the process will follow for other districts. It is submitted that the SEAC subcommittee did not find any violation in the project area during their field inspection. It is submitted that allegations levelled in rejoinder of Appeal 4/2025 are all baseless and liable to be rejected. The SEIAA/SEAC has considered every aspect of the project including the EMP, cluster condition as per the cluster certificate and ground reality, Mining Plan, field inspection report, PFR, etc. during the appraisal of the project and hence there is no violation of judgments. The Environmental Clearance was issued by following the



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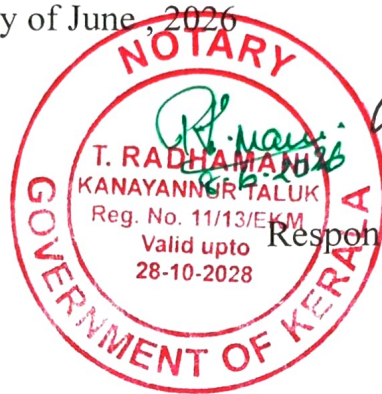
due procedure laid down in the EIA notification - 2006, by MoEF&CC and its subsequent amendments. The DSR prepared by the Department of Mining & Geology in November 2016 was considered while appraising the application for EC. The Annexure A24 judgment clears about the cluster situation in the area. In the judgment it is stated in paragraph 9 that "*...per se we are not able to say that ECs issued is in any flagrant violation of any norms.*" Further the appellant has challenged the orders in **SLP 11251/24 and SLP 11253/24** and **both the SLP were dismissed on 17.05.2024** by the Hon'ble Supreme Court of India. Hence those High Court orders have become final. Further the appellant has challenged the orders in **SLP 11251/24 and SLP 11253/24** and **both the SLP were dismissed on 17.05.2024** by the Hon'ble Supreme Court of India. It is submitted that by virtue of order dated 04.06.2026 in IA No 1/2026 in WP 13466/2026 by High Court Of Kerala , With certain clarification, the interim Order is sustained. There is no challenge against that order. The other issue is pending consideration before Honorable High Court of Kerala, in batch cases, including the respondents case. Hence those orders and judgment of Hon'ble High Court has become final. Hence the averment of the appellant are baseless and is liable to be dismissed as such.



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Under the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the plea and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in circumstances of the case and thus render justice.

Dated at Kochi on this the 8th day of June, 2026



[Handwritten Signature]
M.P. Lalu
Respondent no 7

VERIFICATION

I, M P Lalu , S/o. M K Pavithran, Mankudi House, Kodanad PO, Kurichikode, Ernakulam District- 683544, do hereby solemnly verify that the contents of paras are true to the best of my personal knowledge and from the statement of department and paras believed to be true on legal advice and that I have not suppressed any material fact.

Dated at Kochi on this the 8th day of June, 2026.

Solemnly affirmed and signed
before me by the deponent

[Handwritten Signature]
M.P. Lalu

Respondent no 7

[Handwritten Signature]
T. RADHAMANI, B.A., LL.M.
Advocate & Notary
2nd Floor, Empire Building,
ORS Road, Cochin-18



NOTED & REGISTERED
Sl. No. 507 Page No. 10
Book No. 1 Date 8.6.2026

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR. JUSTICE VIJU ABRAHAM

Monday, the 6th day of April 2026 / 16th Chaithra, 1948

WP(C) NO. 13466 OF 2026

PETITIONER:

SRI.M.P.LALU AGED 52 YEARS S/O.M.K.PAVITHRAN,
MANKUDY HOUSE, KODANAD P.O.,
ERNAKULAM, PIN - 683544

RESPONDENT:

1. STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY- SEIAA KERALA,
4 TH FLOOR, KSRTC BUS TERMINAL BUILDING, THAMPANLOOR, TRIVANDRUM
REPRESENTED BY ITS MEMBER SECRETARY., PIN - 695001
2. STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF
INDUSTRIES, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. THE DISTRICT GEOLOGIST MINING & GEOLOGY DEPARTMENT, KANNUR, CIVIL
STATION, KANNUR, PIN - 670002
4. UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI -
REPRESENTED BY ITS DIRECTOR., PIN - 110993
5. SHAJI A.K.S/O.KURIAKOSE, ARAKKAL HOUSE, PERINKARI P.O., KANNUR
DISTRICT, PIN - 670706

Writ petition (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to for the reasons stated in the writ petition and in the accompanying affidavit it is most humbly prayed that this hon'ble court may be pleased to issue a direction restraining the respondents from taking any coercive steps against the environmental clearance of the petitioner, for want of compliance of dsr 2018 in terms of s.o.no.3611(e) and for reliance on the dsr prepared in terms of s.o.141(e), till the disposal of the above writ petition.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S PHILIP J.VETTICKATTU, NEENU BERNATH, SAJU S. DOMINIC, MANU SANTHOSH Advocates for the petitioners, M/S Rahul Venugopal(for R4) Advocates for the respondents, the court passed the following:

ORDER

Admit. Learned Standing Counsel takes notice for the 1st respondent. Learned Govt. Pleader takes notice for respondents 2 and 3. Learned Central Government Counsel takes notice for the 4th respondent. Issue notice by speed post to the 5th respondent. In similar circumstances, this Court has granted interim order as prayed for, for a period of two months as per Ext.P11 order. Therefore, there shall be an interim order as prayed for, for a period of three months. Post on 04.06.2026.

Sd/- **VIJU ABRAHAM** JUDGE

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN
Thursday, the 4th day of June 2026 / 14th Jyaishta, 1948

WP(C) NO. 13466 OF 2026

PETITIONER:

M.P.LALU, AGED 52 YEARS, S/O.M.K.PAVITHRAN, MANKUDY HOUSE, KODANAD
P.O., ERNAKULAM, PIN-683544

RESPONDENTS:

1. STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY – SEIAA KERALA, 4 TH FLOOR, KSRTC BUS TERMINAL BUILDING, THAMPANOOR, TRIVANDRUM, REPRESENTED BY ITS MEMBER SECRETARY, PIN-695001
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF INDUSTRIES, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. THE DISTRICT GEOLOGIST MINING & GEOLOGY DEPARTMENT, KANNUR, CIVIL STATION, KANNUR, PIN-670002
4. UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI, REPRESENTED BY ITS DIRECTOR, PIN-110993
5. SHAJI A.K. S/O.KURIAKOSE, ARAKKAL HOUSE, PERINKARI P.O., KANNUR DISTRICT, PIN-670706

Writ Petition (Civil) praying inter alia that in the circumstances stated in the affidavit filed along with the WP(C) the High Court be pleased to issue a direction restraining the respondents from taking any coercive steps against the Environmental Clearance of the petitioner for want of compliance of DSR 2018 in terms of S.O.No.3611(E) and for reliance on the DSR prepared in terms of S.O.141(E), till the disposal of the above writ petition.

This petition coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and upon hearing the arguments of M/S. PHILIP J.VETTICKATTU, NEENU BERNATH, SAJU S. DOMINIC & MANU SANTHOSH, Advocates for the petitioner, SRI. RAHUL VENUGOPAL, CENTRAL GOVERNMENT COUNSEL for R4 and of M/S. V. HARISH, RAJAN VISHNURAJ, VARUN JACOB & AASHKA ANN, Advocates for R5, the court passed the following:

C. JAYACHANDRAN, J.

I.A.No.1 of 2026 in W.P.(C)No.13466 of 2026

Dated, this the 4th June, 2026

ORDER

This application is filed by the 5th respondent seeking to vacate the interim Order issued by this Court on 06.04.2026. As per the interim Order, the respondents are restrained from taking any coercive steps against the Environmental Clearance (E.C.) granted in favour of the petitioner for want of compliance of the D.S.R 2018 in terms of S.O.No.3611(E) and for reliance on the D.S.R. prepared in terms of S.O.No.141(E), for a period of three months.

2. Heard the learned counsel for the petitioner in this I.A, as also, the learned counsel for the petitioner in the Writ Petition.

3. Learned counsel for the petitioner in this I.A. would submit that an Appeal is pending before the National Green

W.P.(C)No.13466 of 2026

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Tribunal (N.G.T), which is produced at Ext.P7 in this Writ Petition, challenging the E.C. granted to the petitioner. Learned counsel would clarify that the challenge is premised on the non-adherence to the D.S.R of the year 2016; and not for want of compliance of the D.S.R of the year 2018. Because of the pendency of this Writ Petition and the interim Order, the N.G.T may not hear Ext.P7 Appeal, which is scheduled for hearing on 12.06.2026. Learned counsel would either seek the interim Order to be vacated or would seek a clarification enabling continuance of the Appeal, which according to the learned counsel has been filed as permitted by a judgment rendered by a Division Bench of this Court, produced at Ext.R5(b).

4. Learned counsel for the petitioner in the writ petition would submit that there is no Order interdicting the hearing of the Appeal and hence no clarification as sought for by the petitioner in the I.A is required. Secondly it was pointed out that, a declaration has been sought for in this Writ Petition to the effect that the E.C. issued to the petitioner by placing reliance upon

W.P.(C)No.13466 of 2026

..3..

D.S.R of the year 2016 is valid, and that compliance of D.S.R in terms of Ext.P6 notification is impossible in law. The learned counsel would submit that if the Appeal is allowed, there will be immediate action taken by the Authorities against the petitioner, as also, similarly placed project proponents.

5. Having heard the learned counsel appearing for the respective parties, this Court clarifies that the interim Order granted will not preclude the N.G.T from hearing the Appeal preferred by the 5th respondent on its merits. With the above clarification, the interim Order will stand sustained.

Post the Writ Petition on 06.07.2026.

Sd/-

C. JAYACHANDRAN
JUDGE

TR

APPENDIX OF WP(C) 13466/2026

- EXHIBIT P1 TRUE COPY OF THE RELEVANT PAGES OF THE ENVIRONMENTAL CLEARANCE GRANTED BY THE 1 ST RESPONDENT BEARING NO.SIA/KL/MIN/149209/2020, DATED 1-5-2023,
- EXHIBIT P2 TRUE COPY OF THE ENVIRONMENTAL CLEARANCE BEARING NO. SIA/KL/MIN/149209/2020, DATED 20-9- 2023
- EXHIBIT P3 TRUE COPY OF THE QUARRY LEASE DATED 27/11/2023 EXECUTED BETWEEN THE PETITIONER AND THE DEPARTMENT OF MINING & GEOLOGY DEPARTMENT
- EXHIBIT P4 TRUE COPY OF THE NOTIFICATION BEARING S.O.NO.141(E), DATED 15-1-2016,
- EXHIBIT P5 TRUE COPY OF THE RELEVANT PAGES OF DSR, NOVEMBER 2016 WITH RESPECT TO KANNUR DISTRICT
- EXHIBIT P6 TRUE COPY OF S.O.3611(E), DATED 25-7-2018
- EXHIBIT P7 TRUE COPY OF THE ORIGINAL APPLICATION BEARING NO.4/2025, FILED BY THE RESPONDENT ON 20-10-2024, SANS THE DOCUMENTS
- EXHIBIT P8 TRUE COPY OF THE JUDGMENT IN W.P.(C)NO.2856/2022 DATED 14/2/2022
- EXHIBIT P9 TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.4866/2022 DATED 14/2/2022
- EXHIBIT P10 TRUE COPY OF THE INTERIM ORDER PASSED BY THIS HON'BLE COURT IN WP© NO.5902/2023, DATED 21/02/2023
- EXHIBIT P11 TRUE COPY OF THE INTERIM ORDER DATED 11-1-2024 IN W.P.(C) NO.1121/2024
- Exhibit R5(a) A true photocopy of the writ petition vide WPC No. 43954 of 2023 without the exhibits filed by the respondent
- Exhibit R5(b) A true photocopy of the judgment dated 08.04.2024 passed by the Hon'ble High Court in WPC No. 43954 of 2023
- Exhibit R5(c) A true copy of the Gazette Notification No. S.O(3977) dated 14.08.2018
- Exhibit R5(d) A true copy of the order dated 04.11.2020 by the Principal Bench of the National Green Tribunal in OA No.726 of 2018
- Exhibit R5(e) A true copy of the Office Memorandum dated 28.04.2023 issued by the 4th respondent
- Exhibit R5(f) A true photocopy of the interim order dated 08.07.2025 in WP(C) No. 5524/2023 passed by the Honourable High Court of Kerala
- Exhibit R5(g) A true photocopy of the interim order dated 03.03.2026 in WP(C) No. 5524/2023 by Honourable High Court of Kerala
- Exhibit R5(h) A true photocopy of the interim order dated 09.03.2026 in WP(C) No. 5524/2023 by Honourable High Court of Kerala

BEFORE THE HONBLE NATIONAL
GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI
APPEAL NO 4 OF 2025

IN THE MATTER OF:

Shaji A K Appellant

Vs

The State Environment Impact,

Assessment Authority SEIAA , Respondents

Kerala and others

2ND ADDITIONAL REPLY FILED BY THE
7TH RESPONDENT

PRAVEEN M JOY
FATHIMA SHALU
ADVOCATES