

**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE, CHENNAI**

APPEAL NO 4 OF 2025

IN THE MATTER OF:

Shaji A K

..... Appellant

Vs

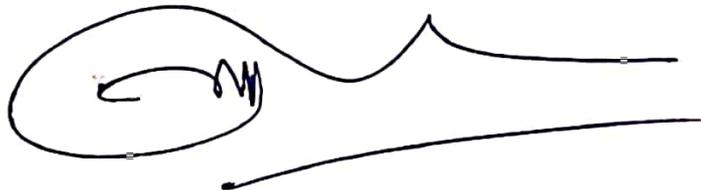
The State Environment Impact Assessment Authority,

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

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BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL SOUTHERN
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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

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. This Hon'ble Tribunal directed and granted time for filing the Additional reply. The averment in the



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reply of 3rd respondent is also taken. I have received the rejoinder copy of appellant on 10.12.2025. Hence this additional reply is filed.

2. At the outset it is submitted that Annexure A1 was issued on 20.09.2023. The present appeal is seen filed only on 20.10.2024. There is delay of one year in filing the appeal. The application or representation at wrong forum or wrong challenge is no ground for condonation of delay. The appeal is not maintainable. On that ground itself the appeal is liable to be rejected. In Annexure 25 order the one month interim order was reviewed and only period of one month was granted to 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. A true copy of the order dated 17.05.2024 in SLP 11251/24 and SLP 11253/24 of the Hon'ble Supreme Court of India is produced and marked as Annexure R7 A. Thus the order in RP 472/2024 has become final. A true copy of the order dated 25.04.2024 in RP 472/2024 and RP 480/2024 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 B. 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. A true copy of the order dated 05.09.2024 in

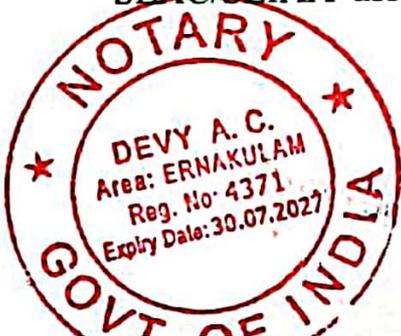


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IA 7/2024 in WP 43954/24 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 C.

3. 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 extent 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. 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



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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 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

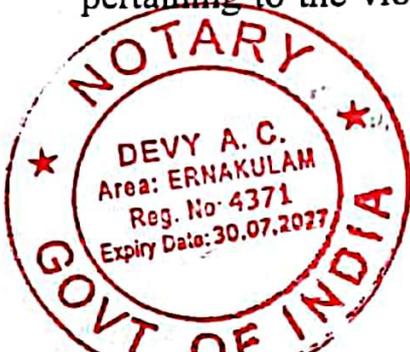


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total cluster area the judgment of the Hon'ble NGT in OA 75 of 2021 and recommended EC for this project with 23 site Specific Conditions in addition to the General Conditions for mining of minor minerals. It is submitted that *before the issuance of 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.

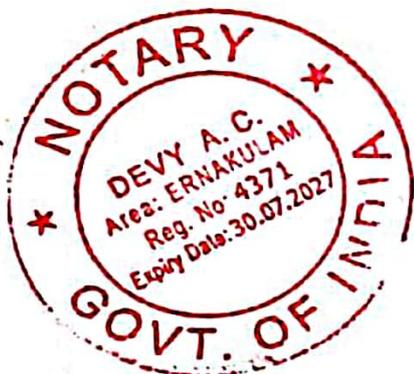
4). The judgment of the Hon'ble NGT is pertaining to the project of the M/s RDS Project Pvt. Ltd which is also situated in the same survey No. 74/1D. SEIAA has granted two EC's in the adjacent area, where there are resources available as per the approved mining plan. The two project areas are not part 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



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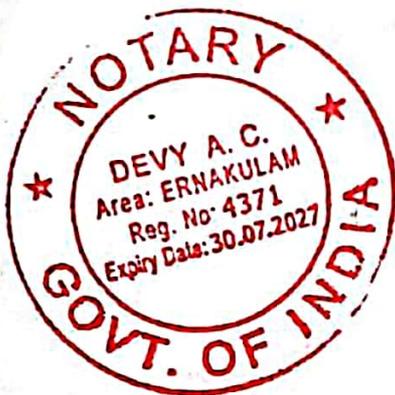
plan for those projects were approved by the Mining & Geology Department, since there is resource to extract. It could be seen that as per the field visits conducted by SEAC subcommittee, and the report from the District Geologist, the boundaries of the quarry of Sri. M.P Lalu was not overlapping with 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 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.



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5). 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. (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.

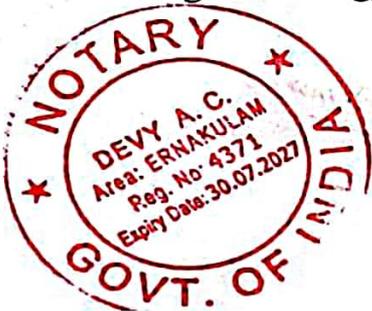


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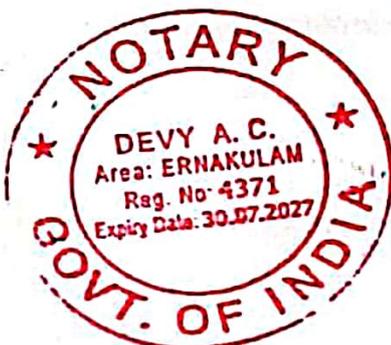
6). The question is pending consideration before Honble High Court of Kerala. A true copy of the order dated 22.02.2024 in WP No 6990/2024 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 D. The connected cases are also posted and pending consideration. A true copy of the order dated 14.08.2025 in WP No 25928/2025 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 E. A true copy of the order dated 09.09.2025 in WP No 25928/2025 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 F. A true copy of the order dated 29.10.2025 in WP No 25928/2025 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 G. A true copy of the order dated 05.11.2025 in WP No 25928/2025 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 H. A true copy of the order dated 14.01.2026 in WP No 25928/2025 of the Hon'ble High Court of Kerala is produced and marked as Annexure R7 I. 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



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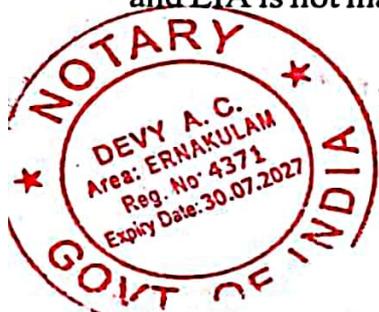
15.01.2016. Later the MoEF&CC vide its OM dated 25.07.2018 published the guidelines for the preparation of DSR. The Mining & Geology Department is revising the 2016 DSR based on the revised guideline. A few Project Proponents were submitted application to MoEF&CC during the time of expiry of the SEIAA 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.



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7). It is submitted that though the project area comprises a cluster condition, with other quarries, the area confines well below 5ha. and the averments of the petitioner is baseless. Since the project is under 5 ha, it comes under the category B2. For that, Form 2, Form 1M, Environment Management Plan, Pre-Feasibility Report, Mining Plan, etc. are mandatory and the 7th respondent provided all those documents. It is submitted that SEAC verified those documents during the appraisal before granting the environmental clearance. It is submitted that allegations levelled are all baseless and liable to be rejected. As per the EIA notification - 2006 issued vide S.O 1533 (E) of MoEF&CC dated 01.07.2016, it is stated that 'A cluster shall be formed when the distance between the peripheries of one lease is less than 500 mts from the periphery of other lease in a homogenous mineral area.' If a cluster or individual lease size exceeds 5 Ha, it becomes B1 Category and as per the judgment of the Hon'ble NGT dated 13.09.2018, EIA with EMP is mandatory. To finalize the EIA, the Project Proponents have to conduct the mandatory public hearing. Here, by considering all the quarries in 500m radius, the altogether area is less than 5 ha, which is B2 Category and hence no EIA is required. Even if the total cluster becomes more than 5 ha, each Project Proponent in the cluster has to submit separate application with same EIA report. In this case, based on the cluster certificate from the District Geologist and from the field inspection report, the area is below 5 Ha and EIA is not mandatory. The 7th respondent has submitted the required EMP along



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with the application. It is submitted that allegations levelled in paragraph 17 of Appeal 4/2025 are all baseless and liable to be rejected. The averments of the petitioner are baseless as the certificate provided by the District Geologist clearly indicates that there are two quarries having an area of 2.1854 ha and 0.9933 ha within 500m radius. At the time of appraisal of the application of 7th Respondent, the 2nd quarry, M/s RDS Project was not working and it is stopped as per judgment dated 25.01.2022 in OA No.75/2022. Even if by considering the two projects there is no cluster situation as the total area is less than 5 Ha. Also, the field inspection conducted by the Sub-Committee confirms the same. Besides, there is no overlapping of the proposed area with the adjacent quarry. As per the cluster certificate, dated 24.06.2022- Annexure A9(a) 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) & M/s RDS Projects Ltd. having an area of 0.9933ha. As per the cluster certificate, EC was granted to the M/s Megha Engineering & Infrastructure Ltd. on 24th March 2023. Based on a complaint and the report from the District Geologist suspended by SEIAA vide order dated 21.05.2024 and a show cause notice was issued vide letter dated 21.05.2024. The reply to the Show Cause Notice was placed in the 142nd SEIAA meeting 30th and 31st May, 2024, and the Authority noted that the M/s Megha Engineering & Infrastructure Ltd. denied the alleged violations reported by



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the District Geologist and requested for a joint inspection to ascertain the fact. The Authority sought remarks of the District Geologist on the letter dated 08.5.24 of the Project Proponent to which the District Geologist reported the action taken by the Mining & Geology Department, as they have issued the demand notice for remitting royalty, price, and compounding fees for 1839.25 Metric Tons of Laterite building stone illicitly excavated from the lease area. In response to that, Sri. Madhusoodhanan, land owner submitted a treasury challan for Rs. 466,420 as compounding fee, royalty, and price for the unauthorized extraction of Laterite Building Stone on 06.03.2024. The District Geologist also reported that no action was taken regarding the Ordinary Earth, which remained dumped adjacent to the site without being transported, thus not violating the mineral concession rules. Later, a complaint was received from Sri. Shaji AK, and the 147th SEIAA meeting held on 27th & 28th August, 2024 and heard the complainant with his advocate Sri. Harish Vasudevan and Sri. Abdul Nizar, representative of the Project Proponent and Dr A. Damodaran, the Consultant. The Authority after hearing both the parties decided that, on receipt of the hearing notes, the SEAC shall inspect the project area in the presence of the complainant to verify the complaint and to assess the compliance status of the EC and submit the report with recommendations. The Authority also decided that the suspension issued will be revoked only after considering the report and recommendation of SEAC. Meantime, the Authority noted that vide the

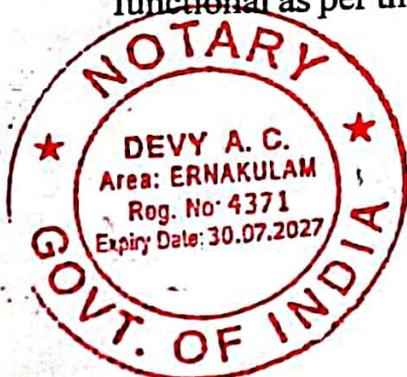


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Judgment dated 25.09.2024 in WP(C) No. 33573 of 2024, the Hon'ble High Court of Kerala directed the Director, Mining & Geology Department to take a decision on the representation of the petitioner Sri. A. K. Shaji after hearing the Petitioner and the Project Proponent within a period of two months in the light of the fact that mining operation was carried out by the Proponent in violation of the condition of the KMMC Rules, 2015 and SEIAA is not a respondent in the Writ Petition. The 150th SEIAA meeting held on 27th and 28th November, 2024 decided to wait for the decisions of the Director, Mining & Geology Department as directed by Hon'ble High Court and in the meantime SEAC to conduct field inspection as directed in the 147th SEIAA meeting for finalizing the action to be taken against the Project Proponent. It is submitted that allegations levelled are all baseless and liable to be rejected. It is properly replied that Annexure A13 OM is based on the order of the Hon'ble NGT in OA No. 142/2022 in the matter of Jayant Kumar Vs. MoEF&CC, for the reappraisal of Environmental Clearances issued by DEIAA all over the country. As per the OM, direction was given to the EC holders who were granted EC from DEIAA for re-appraisal in the stipulated period. The EC to the 7th respondent's project was issued from SEIAA, Kerala and hence no need to re-appraise as per OM dated 28.04.2023. Among the quarries within 500m radius, M/s RDS Projects had DEIAA issued Environmental Clearance, but the same was not functional as per the Hon'ble NGT Order dated 25.01.2022, at the time of submission

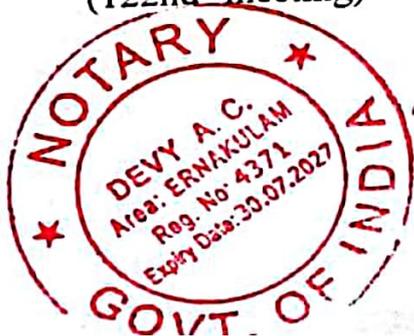


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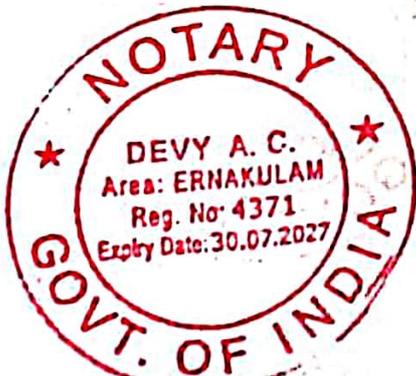
of Environmental Clearance" application by the 7th respondent. The EC of the M/s RDS project was cancelled by the Authority vide Order dated 19.11.2022. Also, in the case of DSR, the Authority considered the judgment by the Hon'ble High Court of Kerala in W.P (C) 5209/2022 dated 16th February 2022 which direct the EAC, MoEF&CC to consider the EC application on the basis of the DSR 2016. (Ananthu Sunil Vs. State of Kerala and Ors.). It is evident that the EC was issued to 7th respondent after thorough appraisal. The SEAC appraised the application by verifying all the documents and additionally sought site specific documents, conducted field verification, heard the presentation of the project by the Registered Qualified Person who prepared the mining plan and also getting legal opinion from Legal Officer, SEIAA and additional reports from District Geologist, Kannur to ascertain the cluster condition and the resource availability in the proposed area. During the appraisal process of this application, the Committee 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. The SEAC again re-considered the proposal of 7th respondent as per the direction of the 3rd respondent (122nd meeting) and verified.. he averment of the petitioner regarding the



M.P. Lahu



overlapping of boundaries of quarries is baseless as the report of the District Geologist says otherwise. 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 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. 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 averments of the appellant are baseless and is liable to be dismissed as such.



DEVAJUDICIAL OFFICE
 -D. P. Lahu

DEVY A.C.
 ADVOCATE & NOTARY
 2nd FLOOR, INFANT JESUS BUILDING
 OPP. HIGH COURT, ABOVE UNION BANK
 COCHIN - 682 031
 Roll No. K/355/95
 TEL. NO. 2330733

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 28 th day of January , 2026

M.P. Lalu
M.P. Lalu
Respondent no 7

VERIFICATION

I, M P Lalu , S/o. M K Pavithran, Mankudi House, Kodanad PO, Kurichilakode, 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.

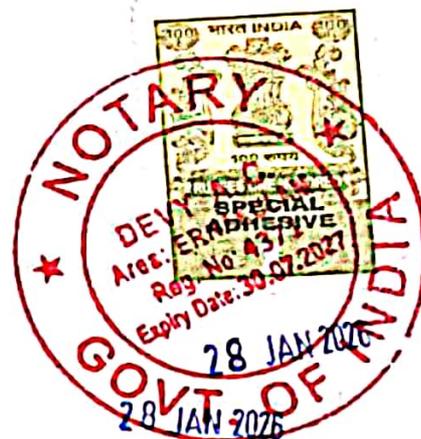
Dated at Kochi on this the 28 th day of January , 2026.

Solemnly affirmed and signed before
me at my office at Ernakulam
by *M.P. Lalu* on 28th day of Jan 2026

M.P. Lalu
M.P. Lalu
Respondent no 7

DEVY A.C
ADVOCATE & NOTARY
2nd FLOOR, INFANT JESUS BUILDING
OPP. HIGH COURT, ABOVE UNION BANK
COCHIN - 682 031
Roll No. KJ/355/95
Mob: 9847229732

NOTARIAL REGISTER PARTICULARS
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Sl. No. 637 Date: 28 JAN 2026



ITEM NO.64

COURT NO.1

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).11251-11253/2024

(Arising out of impugned final judgment and order dated 08-04-2024 in WP(C) No. 43954/2023, 25-04-2024 in RP No. 472/2024 and 25-04-2024 in RP No. 480/2024 passed by the High Court of Kerala at Ernakulam)

SHAJI A.K

Petitioner(s)

VERSUS

MINISTRY OF ENVIRONMENT FOREST AND
CLIMATE CHANGE [MOEF AND CC] & ORS.

Respondent(s)

Date : 17-05-2024 These petitions were called on for hearing today.

CORAM :

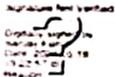
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Vanshdeep Dalmia, AOR
Ms. Anisha Jain, Adv.
Mr. Sarthak Dora, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 We are not inclined to entertain the Special Leave Petitions under Article 136 of the Constitution.
- 2 The Special Leave Petitions are accordingly dismissed.
- 3 Pending applications, if any, stand disposed of.



(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER



2024:KER:33227

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 25TH DAY OF APRIL 2024 / 5TH VAISAKHA, 1946

RP NO. 472 OF 2024

AGAINST THE JUDGMENT DATED IN WP(C) NO.43954 OF 2023 OF HIGH COURT OF KERALA

REVIEW PETITIONER/S:

M.P.LALU
AGED 51 YEARS
S/O.M.K.PAVITHRAN, MANKUDI HOUSE, KODANAD P.O.,
KURICHILAKODE, ERNAKULAM, PIN - 683544
BY ADVS.
PHILIP J.VETTICKATTU
NEENU BERNATH
SAJU S. DOMINIC

RESPONDENT/S:

- 1 SHAJI A.K.
S/O.KURIAKOSE, ARAKKAL HOUSE, PERINKARI P.O.,
KANNUR, PIN - 670706
- 2 MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE
REPRESENTED BY IS SECRETARY, INDIRA PARYAVARAN
BHAWAN, JORBAGH ROAD, NEW DELHI, PIN - 110993
- 3 STATE OF KERALA
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,
DEPARTMENT OF MINING AND GEOLOGY, SECRETARIATE,
THIRUVANANTHAPURAM, PIN - 695001



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:2:-

- 4 STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
REPRESENTED BY ITS MEMBER SECRETARY, 4 TH FLOOR,
KSRTC BUS TERMINAL COMPLEX, THAMPANOR,
THIRUVANANTHAPURAM, PIN - 695004
- 5 STATE EXPERT APPRAISAL COMMITTEE
REPRESENTED BY ITS MEMBER SECRETARY, 4 TH FLOOR,
KSRTC BUS TERMINAL COMPLEX, THAMPANOR,
THIRUVANANTHAPURAM, PIN - 695004
- 6 DIRECTOR OF MINING & GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM,
PATTOM PALACE P.O., TRIVANDRUM, PIN - 695001
- 7 THE GEOLOGIST
DISTRICT OFFICE, DEPARTMENT OF MINING & GEOLOGY,
CIVIL STATION, KANNUR, PIN - 670002
- 8 THE DISTRICT COLLECTOR
KANNUR, CIVIL STATION, KANNUR, PIN - 670002
BY ADVS.
V.HARISH
RAJAN VISHNURAJ(K/653/2010)

OTHER PRESENT:

Sri.Jafar Khan, G.P.

Sri.M.P.Sreekrishnan, SC

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
25.04.2024, ALONG WITH RP.480/2024, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:3:-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

&

THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN

THURSDAY, THE 25TH DAY OF APRIL 2024 / 5TH VAISAKHA, 1946

RP NO. 480 OF 2024

AGAINST THE JUDGMENT DATED IN WP(C) NO.43954 OF 2023 OF HIGH COURT OF KERALA

REVIEW PETITIONER/S:

SHAJI A.K
AGED 49 YEARS
S/O KURYAKOSE, RESIDING AT ARAKKAL HOUSE, PERINKARI
PO, KANNUR DISTRICT, PIN - 670706
BY ADVS.
V.HARISH
RAJAN VISHNURAJ

RESPONDENT/S:

- 1 MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE
REPRESENTED BY ITS SECRETARY, INDIRA PARYAVARAN
BHAWAN, JORBAGH, NEW DELHI, PIN - 110003
- 2 STATE OF KERALA
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY,
DEPARTMENT OF MINING AND GEOLOGY, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:4:-

- 3 STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY
REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR,
KSRTC TERMINAL COMPLEX, THAMPANOR,
THIRUVANANTHAPURAM, PIN - 695014
- 4 STATE EXPERT APPRAISAL COMMITTEE
REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR,
KSRTC TERMINAL COMPLEX, THAMPANOR,
THIRUVANANTHAPURAM, PIN - 695014
- 5 DIRECTOR OF MINING AND GEOLOGY
DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM,
PATTOM PALACE P.O, THIRUVANANTHAPURAM, PIN - 695004
- 6 GEOLOGIST
DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY,
CIVIL STATION, KANNUR, PIN - 670002
- 7 DISTRICT COLLECTOR
KANNUR DISTRICT, CIVIL STATION, KANNUR, PIN - 670002
- 8 M P LALU
S/O MK PAVITHRAN, MANKUDI HOUSE, KODANAD P.O.,
KURICHILAKODE, ERNAKULAM DISTRICT, PIN - 683544

BY ADV KRISHNA T C

SHRI JAFAR KHAN, GP

SHRI M.P.SREEKRISHNA, SC

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
25.04.2024, ALONG WITH RP.472/2024, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:5:-

O R D E R

A.Muhamed Mustaque, J.

These review petitions are filed by the party respondent and the writ petitioner respectively.

2. We have disposed of the writ petition directing the writ petitioner to approach the National Green Tribunal for redressal of his grievance challenging issuance of the environmental clearance certificate. We are unable to decide the issue as the issue involved is of substantial interpretation touching environment based on various clauses in the official memorandum issued by the Union Government. However, while disposing the matter we maintained the interim order for month to enable the writ petitioner to approach the Tribunal.

3. The party respondent has come up with this review citing that since this Court had not interfered, this Court could not have granted an interim relief by way of final disposal for



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:6:-

one month till the matter was entertained or finally disposed of by the Tribunal. The learned counsel of the party respondent placed reliance on the following judgments:

i. Institute of Human Resources Development (IHRD) v. Kerala State Human Rights Commission [2023 KLT OnLine 1173]

ii. G.E.Power Controls India and Others v. S.Lakshmipathy and Others [2005 SCC OnLine SC 853]

iii. District Collector, Idukki and Others v. M.D.Dileep and Others [2015 KHC 203]

iv. State of Orissa and Others v. Madan Gopal Rungta and Others [1951 SCC OnLine SC 63]

4. We find there is force in his argument. This Court while disposing of the writ petition could not have passed any order giving relief to the writ petitioner. In the light of the above, we review the judgment to the extent of ordering the maintenance of the interim order for one month to enable the writ petitioner to approach the Tribunal.

5. Coming back to the review petition filed by the writ petitioner, the learned counsel for the petitioner points out



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:7:-

that this Court observed that there is no flagrant violation of any rules that would stand against him from approaching the competent Tribunal.

6. We make it clear that we have not made any decision. The observation as above is only made in the context of exercising powers under Article 226 of the Constitution. The power under Article 226 can be exercised when this Court is of the opinion that, on the face of the record, there is violation of any norms. However, if such violations are depend upon substantial interpretation of norms related to the environment, it is for the competent Tribunal to decide such matters. It is in that context this Court made observations as above. We make it clear that we have not decided anything in regard to violation of the norms or guidelines set out by the Union Government for issuance of environment certificates. The observation as above was made as to the exercising the power under Article 226 and nothing else. There is one more prayer sought by the writ petitioner in the review petition for implementation of Ext.P12. Having not entertained the matter, it is not possible for us to direct implementation of Ext.P12 by an order or direction. We find there is no reason to give such a direction.



2024:KER:33227

R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:8:-

R.P.No.472/2024 is allowed to the extent above.

R.P.No.480/2024 is disposed of with the observations as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

Sd/-

SHOBA ANNAMMA EAPEN, JUDGE

ms



R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:9:-

APPENDIX OF RP 480/2024

PETITIONER ANNEXURES

- Annexure A1** ANNEXURE A1: A TRUE PHOTOCOPY OF THE INTERIM ORDER DATED 22.12.2023 PASSED BY THIS HON'BLE COURT IN WPC NO. 43954 OF 2023
- Annexure A2** A TRUE PHOTOCOPY OF THE INTERIM ORDER DATED 23.02.2024 PASSED BY THIS HON'BLE COURT IN WPC NO. 43954 OF 2023
- Annexure A3** A TRUE PHOTOCOPY OF THE COUNTER AFFIDAVIT FILED BY THE 6TH RESPONDENT IN WPC NO. 43954 OF 2023
- Annexure A4** A TRUE PHOTOCOPY OF THE INTERIM ORDER DATED 15.03.2024 PASSED BY THIS HON'BLE COURT IN WPC NO. 43954 OF 2023
- Annexure A5** A TRUE PHOTOCOPY OF THE INSTRUCTIONS RECEIVED BY THE COUNSEL FOR THE 1ST RESPONDENT IN WPC NO. 43954 OF 2023
- Annexure A6** A CERTIFIED COPY OF THE JUDGMENT IN WP[C].NO. 43954 OF 2023 DATED 08.04.2024
- Annexure A7** A TRUE PHOTOCOPY OF THE CERTIFICATE DATED 24.06.2022 ISSUED BY THE 6TH RESPONDENT



2024:KER:33227

R.P.NOS.472/2024 AND 480/2024 IN WP(C) NO.43954/2023

-:10:-

APPENDIX OF RP 472/2024

RESPONDENT EXHIBITS

Exhibit R1(a)

A true photocopy of the instructions submitted by the counsel for the 1st respondent in WPC No. 43954 of 2023

Exhibit R1(b)

A true photocopy of the certificate dated 24.06.2022 issued by the 7th respondent

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE ACTING CHIEF JUSTICE MR. A.MUHAMED MUSTAQUE
&
THE HONOURABLE MRS. JUSTICE SHOBA ANNAMMA EAPEN
Thursday, the 5th day of September 2024 / 14th Bhadra, 1946
IA.NO.7/2024 IN WP(C) NO. 43954 OF 2023(S)

APPLICANT/PETITIONER:

SHAJI A.K, AGED 49 YEARS, S/O KURYAKOSE,
RESIDING AT ARAKKAL HOUSE, PERINKARI PO,
KANNUR DISTRICT - 670 706.

RESPONDENTS/RESPONDENTS:

1. MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE, REPRESENTED BY ITS SECRETARY.
2. STATE OF KERALA, REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY, DEPARTMENT OF MINING AND GEOLOGY, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
3. STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM - 695 014.
4. STATE EXPERT APPRAISAL COMMITTEE, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM - 695 014.
5. DIRECTOR OF MINING AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, PATTOM PALACE P.O, THIRUVANANTHAPURAM - 695 004.
6. GEOLOGIST, DISTRICT OFFICE, DEPARTMENT OF MINING AND GEOLOGY, CIVIL STATION, KANNUR - 670 002.
7. DISTRICT COLLECTOR, KANNUR DISTRICT, CIVIL STATION, KANNUR - 670 002.
8. M P LALU, S/O M K PAVITHRAN, MANKUDI HOUSE, KODANAD P.O., KURICHILAKODE, ERNAKULAM DISTRICT - 683 544.

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to clarify that the time period in between 21/12/2023, the date of filing of the writ petition and 08/05/2024, one month from the date of judgment shall be excluded for the purpose of calculating the limitation of Annexure A2 before the Hon'ble National Green Tribunal.

P.T.O.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, this Court's judgment dated 08/04/2024 and upon hearing the arguments of SRI.P.RAVINDRAN, SENIOR ADVOCATE along with M/S. V.HARISH & RAJAN VISHNURAJ, Advocates for the applicant in IA/petitioner in WP(C), DEPUTY SOLICITOR GENERAL OF INDIA for R1 in IA/WP(C), GOVERNMENT PLEADER for R2, R5 to R7 in IA/WP(C), STANDING COUNSEL for R3 & R4 in IA/WP(C) and of M/S. PHILIP J.VETTICKATTU, NEENU BERNATH & SAJU S. DOMINIC, Advocates for R8 in IA/WP(C), the court passed the following:

ORDER

The period involved before this Court shall be excluded for the purpose of limitation before the National Green Tribunal.

I.A is disposed of as above.

Sd/- A.MUHAMED MUSTAQUE ACTING CHIEF JUSTICE

Sd/- SHOBA ANNAMMA EAPEN JUDGE

Annexure A2

APPENDIX OF WP(C) 43954/2023
TRUE COPY OF THE ORIGINAL APPLICATION FILED BY THE
PETITIONER BEFORE THE NGT (WITHOUT ANNEXURE)



IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

Thursday, the 22nd day of February 2024 / 3rd Phalguna, 1945
WP(C) NO. 6990 OF 2024

PETITIONER:

SRI.M.P.LALU, AGED 51 YEARS, S/O.M.K.PAVITHRAN, MANKUDY HOUSE,
KODANAD P.O., ERNAKULAM, PIN - 683544

RESPONDENTS:

1. STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY-SEIAA KERALA, 4TH FLOOR, KSRTC BUS TERMINAL BUILDING, THAMPANOR, 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, Advocates for the petitioner, the court passed the following:

VIJU ABRAHAM , J.

=====
WP(C) No. 6990 of 2024

=====
Dated this the 22nd day of February, 2024

ORDER

When the matter was taken up it was informed that the 5th respondent has filed another writ petition as WP(C) No.43954/2023, wherein an interim order was granted, pursuant to which a stop memo was issued by the Geologist against the petitioner.

In view of the same, I am of the opinion that this case should be heard along with WP(C) No.43954/2023. Therefore the Registry may place this writ petition before the Hon'ble Chief Justice for orders.

**Sd/-
VIJU ABRAHAM
JUDGE**

sbk/-

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN

Thursday, the 14th day of August 2025 / 23rd Sravana, 1947

WP(C) NO. 25928 OF 2025

PETITIONERS:

1. VASUDEVAN PILLAI B., AGED 58 YEARS, S/O. BALAKRISHNA PILLAI, RESIDING AT 7/428, RAHUL NIVAS, INCHAKKADU, MYLAM PANCHAYAT, KOTTARAKARA, KOLLAM, PIN-691560.
2. JAYACHANDRAN V.J., AGED 59 YEARS, S/O. JANARDHANAN PILLAI, RESIDING AT 16/VRINDAVANAM, INCHAKKADU SECTION 1, KALAYAPURAM, KOTTARAKARA, KOLLAM, PIN-691560.
3. UNNIKRISHNAN PILLAI, AGED 59 YEARS, S/O. SARASWATHY AMMA, RESIDING AT 455, VELUTHAKUNNIL VEEDU, INCHAKADU, MYLAM, KOTTARAKARA, PIN-691560.

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI, PIN-110003.
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001.
3. KERALA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN-695014.
4. STATE LEVEL EXPERT APPRAISAL COMMITTEE, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN-695014.
5. DIRECTOR OF MINING AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, THIRUVANANTHAPURAM, PIN-695014.
6. SUB-DIVISIONAL COMMITTEE, REPRESENTED BY THE SUB-DIVISIONAL MAGISTRATE, KOTTARAKKARA, KOLLAM, PIN-691506.
7. K.G. AJIKUMAR, CHANDRAVILASATHU, PUTHENVEEDU, MYLAM P.O, KOTTARAKARA P.O, KOLLAM, PIN-691560.

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 a) stay the operation of Exhibit P9 EC; b) direct the 5th respondent not to issue any mining lease to the 7th respondent based on Exhibit P9; in the interest of justice, equity and good conscience.

This Petition again coming on for orders upon perusing the petition and the affidavit filed in support of WP(C) and this Court's order dated 28/07/2025 and upon hearing the arguments of M/S. V. HARISH & RAJAN VISHNURAJ, Advocates for the petitioners, SRI. P.R. AJITH KUMAR, CENTRAL GOVERNMENT COUNSEL for R1 and of SRI. JOBI JOSE KONDODY, Advocate for R7, the court passed the following:



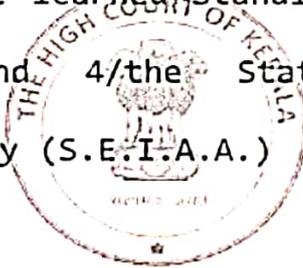
C. JAYACHANDRAN, J.

W.P.(C) No.25928 of 2025

Dated, this the 14th August, 2025

ORDER

Heard the learned counsel for the petitioners; the learned Government Pleader on behalf of the official respondents; Sri.Jobi Jose Kondody, on behalf of the 7th respondent; and the learned Standing Counsel on behalf of respondents 3 and 4/the State Environment Impact Assessment Authority (S.E.I.A.A.)



2. The essential dispute in this Writ Petition is with respect to the existence of a rock by name 'Ayiravalli Para', wherein, there is a natural water reservoir, according to the petitioner. Learned counsel for the petitioner invited the attention of this Court to Ext.P2, which is a Form-1 application preferred by the 7th respondent. There, under the heading 'Environmental Sensitivity' in serial no.2, 6 and 9 refers to 'other water bodies; routes or facilities used by the public to

W.P. (C) No. 25928 of 2025

..2..

tourist or pilgrim areas; and also to areas occupied by sensitive man-made land uses, including worship'. Thus, according to the learned counsel for the petitioner, the existence of the 'Ayiravalli Para' ought to have been mentioned in Ext.P2 Form-1 application by the 7th respondent, which amounts to suppression of a material fact. Going by Clause 8(6) of the E.I.A. Notification, 2006, a deliberate concealment will render the E.C. invalid.



3. In answer to the same, learned counsel for the 7th respondent would submit that the 'Ayiravalli Para' is located in an areal distance of about 600 meters from the proposed site and that there is no natural water reservoir therein, except in rainy seasons. It is further submitted that the hillock is situated in Government Puramboke land and a shrine - connected to a major temple is located elsewhere - has been put up illegally.

W.P. (C) No. 25928 of 2025

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4. Learned counsel for the S.E.I.A.A. would submit that the 'Ayiravalli Para' was not inspected and studied for the purpose of grant of E.C, since the same was not mentioned in Form-1. That apart, the same is also not visible during the site visit.

5. The learned Government Pleader would reserve his submissions to be made after getting instructions.

6. Having heard the learned counsel appearing for the respective parties, this Court is of the opinion that the 6th respondent, the Sub-Divisional Committee, headed by the Revenue Divisional Officer, can be directed to cause a visit to be conducted to the 7th respondent's quarrying site, as also to the 'Ayiravalli Para', to ascertain the distance from the 7th respondent's site to the said 'Ayiravalli Para' and also to ascertain whether the same is a natural water reservoir, not confined to the rainy season. All such other input, which can be of some

W.P. (C) No. 25928 of 2025

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relevance in the context of the allegations made by the petitioner, can be reported by the said Committee, pursuant to their visit. It is directed that the Taluk Surveyor and the Tahsildar concerned will render all necessary assistance to the 6th respondent in conducting an inspection as directed above. A report in this regard shall be made available before this Court on or before 09.09.2025. Once the above data is available, further course of action can be decided.



7. There will be a further direction to the learned Central Government Counsel to get specific instructions from the 1st respondent on the feasibility of entrusting S.E.I.A.A. to prepare the District Survey Report (D.S.R.), taking note of the fact that the D.S.R. which was prepared in the year 2016 has expired. Since this is an issue which is of phenomenal import applicable to all quarries, let specific instructions be taken by the learned Central Government Counsel from the 1st respondent, preferably in writing. Needless to say that, in case the task is being

W.P. (C) No. 25928 of 2025

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entrusted to S.E.I.A.A, the same can be done with the active assistance of the Directorate of Mining and Geology and if necessary, by forming Sub-Committees comprising of the domain experts and necessary stake holders.

Post on 09.09.2025.

Sd/-

C. JAYACHANDRAN
JUDGE

TR



APPENDIX OF WP(C) 25928/2025

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- Exhibit P15 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 10.06.2025 PREPARED BY THE TEMPLE COMMITTEE SIGNED BY THE 1ST PETITIONER
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- Exhibit R7 (a) A true copy of the consent to operate issued by the Kerala State Pollution Control Board to the 7 th respondent on 02.04.2025 valid up to 31.03.2030 for operating the quarry for mining building stones in Exhibit P1 property
- ExhibitR7(c) A true copy of the Form LE3 license issued by the Deputy Chief Controller of Explosives, Ernakulam to the 7 th respondent dated 23.05.2025

- Exhibit R7(d) A true copy of the relevant pages of the mining plan approved by the Geologist, Kollam for 1.2328 hectares of land comprised in Block No. 13, Resurvey Number 394/4 Pt, 394/14Pt, 394/15Pt, 394/16Pt, 399/3-1Pt, 399/3-1-2 Pt, 399/3-3-2 Pt, 399/3-2, 399/3-3, 399/3-3-2, 399/4, 399/4-2, 399/4-3, 399/4-4 Pt and 396/5-1 of Kayalapuram Village in Kottarakkara Taluk of Kollam District
- Exhibit R7(e) A true copy of the Order No. D4-4384/NOC/EEI/KLM/2024 dated 24.12.2024 issued by the Kollam Irrigation Division Executive Engineer
- Exhibit R7(f) A true copy of the order dated 11.1.2024 passed by the learned single judge of this Hon'ble Court in WP© No. 1121/2024
- Exhibit R7 (g) A true copy of the advertisement published in the Hindu daily dated 26.06.2025
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- Exhibit R7 (l) A true copy of the judgment dated 17.07.2025 passed by the learned single judge of this Hon'ble Court in W.P.(C) No.24822/2025
- Exhibit R7(b) A true copy of the No Objection Certificate dated 06.05.2025 issued by the Additional District Magistrate under Rule 103 of the Explosives Rules, 2008

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT

THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN

Tuesday, the 9th day of September 2025 / 18th Bhadra, 1947

WP(C) NO. 25928 OF 2025

PETITIONER:

1. VASUDEVAN PILLAI B., AGED 58 YEARS, S/O. BALAKRISHNA PILLAI, RESIDING AT 7/428, RAHUL NIVAS, INCHAKKADU, MYLAM PANCHAYAT, KOTTARAKARA, KOLLAM, PIN-691560
2. JAYACHANDRAN V.J., AGED 59 YEARS, S/O. JANARDHANAN PILLAI, RESIDING AT 16/VRINDAVANAM, INCHAKKADU SECTION 1, KALAYAPURAM, KOTTARAKARA, KOLLAM, PIN-691560
3. UNNIKRISHNAN PILLAI, AGED 59 YEARS, S/O. SARASWATHY AMMA, RESIDING AT 455, VELUTHAKUNNIL VEEDU, INCHAKADU, MYLAM, KOTTARAKARA, PIN-691560

RESPONDENTS:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI, PIN-110003
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001
3. KERALA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN-695014
4. STATE LEVEL EXPERT APPRAISAL COMMITTEE, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN-695014
5. DIRECTOR OF MINING AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, THIRUVANANTHAPURAM, PIN-695014
6. SUB-DIVISIONAL COMMITTEE, REPRESENTED BY THE SUB-DIVISIONAL MAGISTRATE, KOTTARAKARA, KOLLAM, PIN-691506
7. K.G. AJIKUMAR, CHANDRAVILASATHU, PUTHENVEEDU, MYLAM P.O, KOTTARAKARA P.O, KOLLAM, PIN-691560

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 a) Stay the operation of Exhibit P9 EC; b) Direct the 5th respondent not to issue any mining lease to the 7th respondent based on Exhibit P9; in the interest of justice, equity and good conscience.

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. V.HARISH & RAJAN VISHNURAJ, Advocates for the petitioners and SRI. P.R.AJITH KUMAR, Advocate for R1 and of SRI. JOBI JOSE KONDODY, Advocate for R7, the court passed the following:



C. JAYACHANDRAN, J.

W.P.(C.) No.25928 of 2025

Dated, this the 9th day of September, 2025

ORDER

In answer to the Order of this Court dated 14.08.2025, it is the submission made by the learned Government Pleader that inspection has already been done and the report has been prepared. Learned Government Pleader seeks a short time to file the same. Insofar as the direction to the 1st respondent, it is the submission made by the learned Central Government Counsel that the 1st respondent is prepared to relegate the job of revising the D.S.R. to SEIAA. It was also pointed out that SEIAA has already been reconstituted, and that three appraisal committees for three regions have also been constituted. Learned Central Government Counsel wants to place on record the instructions received. Let both the report of the learned Government Pleader, as also, the statement of the Central Government Counsel be placed before this Court on or before 17.09.2025.

Post on 17.09.2025.

Sd/-

C. JAYACHANDRAN, JUDGE

APPENDIX OF WP(C) 25928/2025

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**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN**

Wednesday, the 29th day of October 2025 / 7th Karthika, 1947
WP(C) NO. 25928 OF 2025

PETITIONER:

1. VASUDEVAN PILLAI B., AGED 58 YEARS S/O. BALAKRISHNA PILLAI, RESIDING AT 7/428, RAHUL NIVAS, INCHAKKADU, MYLAM PANCHAYAT, KOTTARAKARA, KOLLAM, PIN - 691560
2. JAYACHANDRAN V.J., AGED 59 YEARS S/O. JANARDHANAN PILLAI, RESIDING AT 16/VRINDAVANAM, INCHAKKADU SECTION 1, KALAYAPURAM, KOTTARAKARA, KOLLAM, PIN - 691560
3. UNNIKRISHNAN PILLAI, AGED 59 YEARS S/O. SARASWATHY AMMA, RESIDING AT 455, VELUTHAKUNNIL VEEDU, INCHAKADU, MYLAM, KOTTARAKARA, PIN - 691560

RESPONDENT:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI, PIN - 110003
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. KERALA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN - 695014
4. STATE LEVEL EXPERT APPRAISAL COMMITTEE, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN - 695014
5. DIRECTOR OF MINING AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, THIRUVANANTHAPURAM, PIN - 695014
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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 V.HARISH, RAJAN VISHNURAJ Advocates for the petitioners, M/S SHRI.P.R.AJITH KUMAR, CGC, JOBI JOSE KONDODY(for R7) Advocates for the respondents, the court passed the following:

ORDER

Learned Central Government Counsel seeks time to ascertain whether a notification is required to enable the D.S.R. in terms of the statute. Post on 05.11.2025 in view of the urgency espoused by the learned counsel for the petitioner challenging the E.C.

Sd/- C. JAYACHANDRAN JUDGE



APPENDIX OF WP(C) 25928/2025

Exhibit P9

**A TRUE PHOTOCOPY OF THE EC NO. SIA/KL/MIN/448332/2023
DATED 25.01.2025 ISSUED BY THE 3RD RESPONDENT**

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN**

Wednesday, the 5th day of November 2025 / 14th Karthika, 1947

WP(C) NO. 25928 OF 2025

PETITIONERS:

1. VASUDEVAN PILLAI B., AGED 58 YEARS, S/O. BALAKRISHNA PILLAI, RESIDING AT 7/428, RAHUL NIVAS, INCHAKKADU, MYLAM PANCHAYAT, KOTTARAKARA, KOLLAM, PIN-691560
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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. V.HARISH & RAJAN VISHNURAJ, Advocates for the petitioners, SHRI.P.R.AJITH KUMAR, CGC for R1 and of SRI. JOBI JOSE KONDODY, Advocate for R7, the court passed the following:

C.JAYACHANDRAN, J.

W.P.(C) Nos.9338, 10719, 12228 and 25928 of 2025

Dated, this the 5th November, 2025

ORDER

Heard the learned counsel for the respective parties in these batch of Writ Petitions, including W.P(C) No.25928/2025.

2. It is noticed that by virtue of Ext.P5 in W.P. (C)No.10719/2025 dated 15.01.2016 [S.O.141(E)] the mechanism for preparation of the District Survey Report (D.S.R.) for Sand Mining or River Bed Mining and Mining of Other Minor Minerals, have been amended and a procedure has been prescribed, vide Appendix-X, for preparation of the District Survey Report. A perusal of Appendix-X to Ext.P5 would indicate that the survey has to be carried out by the District Environment Impact Assessment Authority (DEIAA) with the assistance of Geologist Department or Irrigation Department or Forest Department or Public Works Department or Ground Water Boards or Remote Sensing Department or Mining Department etc. in the District. It was pointed out that, Ext.P5 was the subject

W.P.(C) Nos.9338, 10719, 12228 and 25928 of 2025

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matter of challenge before the Jharkhand High Court, wherein it was found that the mechanism vide Ext.P5 can apply only to sand mining or river bed mining. Taking stock of the judgments of the Jharkhand High Court, Ext.P7 in W.P. (C)No.10719/2025 [S.O.3611(E)] was issued on 25.07.2018, wherein two separate procedures vide Clause-I and Clause-II to Appendix-X has been prescribed. The first part of Appendix-X prescribes the procedure for preparation of D.S.R. for sand mining or river bed mining; and the second part, with respect to the minor minerals other than sand mining or river bed mining.

3. However, the issue which surfaces is regarding the authority to conduct the survey for preparation of the D.S.R, for minor minerals, other than the sand mining or river bed mining is concerned. For sand mining and river bed mining, Ext.P7 provides for constitution of a specific Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) officers from (a) Irrigation Department, (b) State Pollution Control Board or Committee, (c) Forest

W.P.(C) Nos.9338, 10719, 12228 and 25928 of 2025

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Department, (d) Geology or Mining Officer, and they are expected to visit the site for each environmental clearance, which has been applied for and to make recommendation on the suitability of the site for mining or prohibition thereof. However, a similar provision is not available with respect to the procedure for preparation of D.S.R. of minor minerals other than sand mining or river bed mining. All what can be seen towards the end of the Clause-II of Appendix-X is that, DEIAA has been afforded with a power to include additional parameters to the D.S.R. based on the nature and type of minor mineral, which power has to be exercised in consultation with the Department of Mines and Geology of the concerned State Government. There is also a provision that the D.S.R. has to be updated once in every five years. This Court also takes into account the first paragraph in Clause-II, where there is an indication that the final report after considering the comments from the public has to be finalized by DEIAA within six months.

4. Two aspects loom large now. The constitution of DEIAA

W.P.(C) Nos.9338, 10719, 12228 and 25928 of 2025

..4..

has been set aside by the National Green Tribunal, which judgment is under challenge before the Hon'ble Supreme Court. Secondly, the D.S.R, if any, prepared based on Ext.P5 S.O. of the year 2016, has expired. In the circumstances, it has become imperative to have a D.S.R. Prepared, since Ext.P7 - towards its close - specifically stipulate that the D.S.R. shall form the basis for application for environmental clearance, for preparation of reports and appraisal of projects. It could thus be seen that the preparation and availability of a D.S.R. is a *sine qua non* for consideration of E.Cs and other aspects.

5. In view of the absence of a specific indication in Ext.P7, as to which body is to conduct the survey and prepared the D.S.R, this Court directs the respondent/Ministry of Environment, Forest and Climate Change (MoEF & CC) to clarify - by way of issuance of a notification - as to which body has to conduct the survey and prepare the D.S.R. for minor minerals, other sand mining or river bed mining. In view of the importance and urgency

W.P.(C) Nos.9338, 10719, 12228 and 25928 of 2025

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of the matter, let such notification be issued within a period of three weeks from today. The learned Central Government Counsel will inform the gist of this Order to the concerned in the Ministry, today itself. The surviving question in W.P.(C)Nos.25928/2025 and 9338/2025, as regards the validity of the E.Cs already issued allegedly in violation of the existing D.S.R, will be considered later.

6. W.P.(C)No.25928/2025

Having perused the report preferred in obedience to the directions of this Court dated 14.08.2025, this Court finds no merits in the objections raised by the learned counsel for the 7th respondent. The same is recorded.

7. W.P.(C)No.10719/2025

Interim order will stand extended till the next posting date.

Post on these Writ Petitions on 19.11.2025.

Handover

Sd/-

C. JAYACHANDRAN
JUDGE

TR

APPENDIX OF WP(C) 25928/2025

- Exhibit P1 A TRUE PHOTOCOPY OF THE IDENTITY CARDS OF THE 1ST PETITIONER
- Exhibit P1(a) A TRUE PHOTOCOPY OF THE IDENTITY CARDS OF THE 2ND PETITIONER
- Exhibit P1(b) A TRUE PHOTOCOPY OF THE IDENTITY CARDS OF THE 3RD PETITIONER
- Exhibit P2 A TRUE PHOTOCOPY OF THE FORM-1 APPLICATION DATED 28.10.2023 SUBMITTED BY THE 7TH RESPONDENT BEFORE THE 3RD RESPONDENT
- Exhibit P3 A TRUE PHOTOCOPY OF THE FORM-1M APPLICATION SUBMITTED BY THE 7TH RESPONDENT BEFORE THE 3RD RESPONDENT
- Exhibit P4 A TRUE PHOTOCOPY OF THE PRE-FEASIBILITY REPORT SUBMITTED BY THE 7TH RESPONDENT BEFORE THE 3RD RESPONDENT
- Exhibit P5 A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE ENVIRONMENT MANAGEMENT PLAN SUBMITTED BY THE 7TH RESPONDENT BEFORE THE 3RD RESPONDENT
- Exhibit P6 A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE 163RD MEETING OF THE 4TH RESPONDENT HELD ON 16-18.04.2024
- Exhibit P7 A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE 166TH MEETING OF THE 4TH RESPONDENT CONDUCTED ON 11-13.06.2024
- Exhibit P8 A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE 146TH MEETING OF THE 3RD RESPONDENT HELD ON 29-30.07.2024
- Exhibit P9 A TRUE PHOTOCOPY OF THE EC NO. SIA/KL/MIN/448332/2023 DATED 25.01.2025 ISSUED BY THE 3RD RESPONDENT
- Exhibit P10 TRUE COPY OF THE NOTIFICATION NO. S.O. 141 (E) DATED 15.01.2016
- Exhibit P11 A TRUE COPY OF THE SO.NO.3611(E) DATED 25.07.2018 ISSUED BY THE 1ST RESPONDENT
- Exhibit P12 A TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE DISTRICT MINERAL SURVEY REPORT IN KOLLAM DISTRICT PREPARED IN 2016 BY THE DEPARTMENT OF MINING AND GEOLOGY
- Exhibit P13 A TRUE COPY OF THE NOTIFICATION SO.3977(E) DATED 14.08.2018
- Exhibit P14 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 14.06.2025 PREFERRED BY THE PETITIONERS BEFORE THE RESPONDENTS NO.1 TO 3
- Exhibit P15 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 10.06.2025 PREPARED BY THE TEMPLE COMMITTEE SIGNED BY THE 1ST PETITIONER
- Exhibit P16 A true copy of the relevant pages of the Gazette Notification No. S.O(3977) dated 14.08.2018
- Exhibit R7 (a) A true copy of the consent to operate issued by the Kerala State Pollution Control Board to the 7 th. respondent on 02.04.2025 valid up to 31.03.2030 for operating the quarry for mining building stones in Exhibit P1 property
- ExhibitR7(c) A true copy of the Form LE3 license issued by the Deputy Chief Controller of Explosives, Ernakulam to the 7 th respondent dated 23.05.2025

- Exhibit R7(d)** A true copy of the relevant pages of the mining plan approved by the Geologist, Kollam for 1.2328 hectares of land comprised in Block No. 13, Resurvey Number 394/4 Pt, 394/14Pt, 394/15Pt, 394/16Pt, 399/3-1Pt, 399/3-1-2 Pt, 399/3-3-2 Pt, 399/3-2, 399/3-3, 399/3-3-2, 399/4, 399/4-2, 399/4-3, 399/4-4 Pt and 396/5-1 of Kayalapuram Village in Kottarakkara Taluk of Kollam District
- Exhibit R7(e)** A true copy of the Order No. D4-4384/NOC/EEI/KLM/2024 dated 24.12.2024 issued by the Kollam Irrigation Division Executive Engineer
- Exhibit R7(f)** A true copy of the order dated 11.1.2024 passed by the learned single judge of this Hon'ble Court in WP© No. 1121/2024
- Exhibit R7 (g)** A true copy of the advertisement published in the Hindu daily dated 26.06.2025
- Exhibit R7 (h)** A true copy of the preliminary order dated 21.06.2025 issued by the Secretary of Mylom Grama Panchayat to the 7 th respondent
- Exhibit R7(i)** A true copy of the order dated 08.07.2025 issued by the Secretary to the 7 th respondent
- Exhibit R7(j)** A true copy of the order dated 14.07.2025 in IA No. 1 of 2025 in Appeal No. 272/2025 passed by the Tribunal for Local Self Government Institutions
- Exhibit R7 (k)** A true copy of the petition filed by the 7 th respondent before the Superintendent of Police (Rural), Kottarakkara dated 16.07.2025
- Exhibit R7 (l)** A true copy of the judgment dated 17.07.2025 passed by the learned single judge of this Hon'ble Court in W.P.(C) No.24822/2025
- Exhibit R7(b)** A true copy of the No Objection Certificate dated 06.05.2025 issued by the Additional District Magistrate under Rule 103 of the Explosives Rules, 2008
- Annexure R1(a)** The true copy of the Notification S.O. 1886 (E) dated 20.04.2022
- Annexure R1(b)** The true copy of the Notification S.O. 637 (E) dated 28.02.2014
- Annexure R1(c)** The true copy of the Notification S.O. 3937(E) dated 28.08.2025
- Annexure R1(h)** The true copy of the order dated 08.05.2025 in Civil Appeal No. 14170 of 2024 in State of Uttar Pradesh vs. Gaurav Kumar
- Annexure R1(d)** The true copy of the Notification S.O 141 (E) dated 15.01.2016
- Annexure R1(e)** The true copy of the Notification S.O No. 3611 (E) dated 25.07.2018
- Annexure R1(f)** The true copy of the Office Memorandum NO. F.L-11011/175/2018-IA-II(M) dated 12.12.2018
- Annexure R1(g)** The true copy of the order dated 10.11.2021 in Civil Appeal No. 3661-3662 of 2020 in State of Bihar vs. Pawan Kumar

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN**

Wednesday, the 14th day of January 2026 / 24th Pousha, 1947

WP(C) NO. 25928 OF 2025

PETITIONER:

1. VASUDEVAN PILLAI B., AGED 58 YEARS S/O. BALAKRISHNA PILLAI, RESIDING AT 7/428, RAHUL NIVAS, INCHAKKADU, MYLAM PANCHAYAT, KOTTARAKARA, KOLLAM, PIN - 691560
2. JAYACHANDRAN V.J., AGED 59 YEARS S/O. JANARDHANAN PILLAI, RESIDING AT 16/VRINDAVANAM, INCHAKKADU SECTION 1, KALAYAPURAM, KOTTARAKARA, KOLLAM, PIN - 691560
3. UNNIKRISHNAN PILLAI, AGED 59 YEARS S/O. SARASWATHY AMMA, RESIDING AT 455, VELUTHAKUNNIL VEEDU, INCHAKADU, MYLAM, KOTTARAKARA, PIN - 691560

RESPONDENT:

1. UNION OF INDIA, REPRESENTED BY THE SECRETARY, MINISTRY OF ENVIRONMENT FOREST AND CLIMATE CHANGE, INDIRA PARYAVARAN BHAVAN, JORBAGH ROAD, NEW DELHI, PIN - 110003
2. STATE OF KERALA, REPRESENTED BY THE SECRETARY, DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
3. KERALA STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN - 695014
4. STATE LEVEL EXPERT APPRAISAL COMMITTEE, REPRESENTED BY ITS MEMBER SECRETARY, 4TH FLOOR, KSRTC TERMINAL COMPLEX, THAMPANOR, THIRUVANANTHAPURAM, PIN - 695014
5. DIRECTOR OF MINING AND GEOLOGY, DIRECTORATE OF MINING AND GEOLOGY, KESAVADASAPURAM, THIRUVANANTHAPURAM, PIN - 695014
6. SUB-DIVISIONAL COMMITTEE, REPRESENTED BY THE SUB-DIVISIONAL MAGISTRATE, KOTTARAKKARA, KOLLAM, PIN - 691506
7. K.G. AJIKUMAR, CHANDRAVILASATHU, PUTHENVEEDU, MYLAM P.O., KOTTARAKARA P.O., KOLLAM, PIN - 691560

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 a) stay the operation of exhibit p9 ec; b) direct the 5th respondent not to issue any mining lease to the 7th respondent based on exhibit p9; in the interest of justice, equity and good conscience.

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 V.HARISH, RAJAN VISHNURAJ Advocates for the petitioners, M/S SHRI.P.R.AJITH KUMAR, CGC, Adv.M.P.Sreekrishnan(for R3), JOBI JOSE KONDODY(for R7) Advocates for the respondents, the court passed the following:

ORDER

Delink from the connected matters. Learned CGC seeks two more weeks' time. Post on 27.01.2026 to consider the interim application preferred by the petitioners seeking stay.

Sd/- C. JAYACHANDRAN JUDGE



Exhibit P9

APPENDIX OF WP(C) 25928/2025
A TRUE PHOTOCOPY OF THE EC NO. SIA/KL/MIN/448332/2023
DATED 25.01.2025 ISSUED BY THE 3RD RESPONDENT



**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

ADDITIONAL REPLY FILED BY THE
7TH RESPONDENT

**PRAVEEN K JOY
FATHIMA SHALU
ADVOCATES**