

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI  
MEMORANDUM OF APPEAL**

(Under Section 18(1) read with Section 16 of the National Green Tribunal  
Act, 2010)

**APPEAL No. 40 OF 2024**

**BETWEEN**

NOBLE M PAIKADA ..... **APPELLANT**

*Versus*

STATE ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY & ORS .....**RESPONDENTS**

**OBJECTION AGAINST THE REPORT SUBMITTED FILED BY THE 3<sup>rd</sup>  
RESPONDENT**

HARISH VASUDEVAN (H-253) [K/779/2013]  
RAJAN VISHNURAJ (R-1268) [K/653/2010]

*Counsel for the appellant*

**Amicus Advocates**

II Floor, Chundanal Monarch, K.K Padmanabhan Road, Kochi-18

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**RAJAN VISHNURAJ**

**HARISH VASUDEVAN**

Advocates

COUNSEL FOR THE APPELLANT

**Amicus Advocates**

II Floor, Chundanal Monarch, K.K Padmanabhan Road, Kochi-18

Email: [legalfriend@gmail.com](mailto:legalfriend@gmail.com) / [amicusadvocates@gmail.com](mailto:amicusadvocates@gmail.com)

Mobile No: +91-9447755896

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SZ) CHENNAI**

**MEMORANDUM OF APPEAL**

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*Versus*

STATE ENVIRONMENT IMPACT  
ASSESSMENT AUTHORITY & ORS .....**RESPONDENTS**

**OBJECTION AGAINST THE REPORT FILED BY THE 3<sup>rd</sup> RESPONDENT**

I, Noble M Paikada, aged 60 years, S/o Mani Paikada, residing at Paikada House, Manakadavu P.O, Alakkode, Kannur district - 670 571, do hereby solemnly affirm and state as follows:

1. I am the appellant in the memorandum of appeal and as such I am conversant with the facts of the case.
2. In this Appeal, the 3<sup>rd</sup> respondent has filed a report and the appellant would like to raise objection against the said report as they are not fully true and hence this objection. All the averments in the said report which are not specifically admitted hereunder are stoutly denied.



3. It is respectfully submitted that one of the main contentions raised by the appellant in the appeal is that there has been mining conducted by the project proponent in the area and the same is highly affected by the environmental degradation caused due to the mining operations by the 2<sup>nd</sup> respondent. The 2<sup>nd</sup> respondent is engaged in the business of granite stone extraction and has been carrying out quarrying operations in Block No. 12, Re Survey No. 651/8 in Kuthanur 1 Village, Alathur Taluk and has encroached into the nearby areas by violating the conditions of the earlier lease. The 2<sup>nd</sup> respondent now proposes to carry out mining operations in 2.6262 hectares of land Block No. 12, Re Survey No. 649/2, 649/3, 651/3, 651/4, 651/5, 651/6, 652/20 & 652/2 in Kuthanur 1 Village, Alathur Taluk, Palakkad.
4. It is clear from the satellite images produced by the 2<sup>nd</sup> respondent itself that there is a quarrying unit within 50 metres of the project site in question and overlapping the mining area with the project site of Annexure A1. It is also clear from the satellite images that a portion of the applied area of Annexure A1 has already been mined out, without obtaining prior EC and therefore the project site involves a violation. The report filed by the 2<sup>nd</sup> respondent is silent on this crucial factual aspect.
5. Moreover, Annexure A1 based on Annexure A6 false certificate is illegal and liable to be set aside. It is admitted in the report filed by the 3<sup>rd</sup> respondent that they have not done inspection of the site and it was issued merely based on the affidavit given by the Village Officer. Thus it is clear that the 3<sup>rd</sup> respondent issued the cluster certificate without even a site visit. This is per se illegal and on this



basis alone the Annexure A1 is liable to be rendered invalid. Even in the DSR, list of existing mines, the adjacent quarry which was working within 500 meters was shown clearly, which is a fact known to the Geologist while granting the false Cluster Certificate.

6. Therefore, it is most humbly requested and prayed that, having regard to the above mentioned and other grounds that may be urged at the time of hearing, this Hon'ble Tribunal may be pleased to accept this objection, reject the contentions raised in the report filed by the 3<sup>rd</sup> Respondent and allow this appeal with cost, in the interest of justice.

All the facts stated above are true to the best of my knowledge, belief & information.

Dated this the 20<sup>th</sup> day of December, 2025



DEPONENT

Solemnly affirmed and signed before me by the deponent whom I know on this the 20<sup>th</sup> day of December, 2025 in my office at Ernakulam.



Harish Vasudevan  
ADVOCATE

**VERIFICATION**

I, Noble M Paikada, aged 60 years, S/o Mani Paikada, residing at Paikada House, Manakadavu P.O, Alakkode, Kannur district - 670 571, do hereby verifies that the contents of the above paragraphs 1 to 6 are true to the best of my knowledge and I have not suppressed any material facts.



SIGNATURE OF THE APPELLANT

DATE : 20.12.2025

PLACE : Ernakulam