

Filed on 21.12.2025

**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**

**REJOINDER AGAINST THE REPLY STATEMENT FILED BY THE 2nd
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

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Advocates

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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 2nd respondent has filed a reply statement, which according to the appellant has no direct or indirect relevance to the actual facts and circumstances of the present case. The appellant submits that the averments and allegations raised in the reply



statement is not true and hence the appellant is filing the rejoinder. All the averments and allegations in the said reply statement which was specifically admitted hereunder are stoutly denied.

3. It is respectfully submitted that the averments raised by the 2nd respondent in Paragraphs No. 4 and 5 of the reply statement is not true and denied. The appellant submits that what he has stated in the memorandum of appeal is with respect to the archeological importance of megalithic importance of cists, rock cut caves, menhirs, dolmens, urn burials, umbrella stones etc in Palakkad district especially in Kuthanur Panchayat. The 2nd respondent cannot deny this aspect with respect to the findings made by the archeological department in Kuthanur Panchayat as evidenced in Annexure A1 news article. The appellant herein is trying to highlight the importance of megalithic structures in the Kuthanur Panchayat and that this aspect ought to have been disclosed by the 2nd respondent for the appraisal process by the SEAC, Kerala. The 2nd respondent is trying to divert the importance of this element in this case by averring that it is not involving his property. The Form-1 application statutorily mandates to reveal all relevant information regarding the Environment Sensitivity of areas within 15km around the project site. This is a statutory requirement where proponent cannot profess ignorance as held by the Hon'ble Supreme Court. Reply of the proponent is in a casual manner as if they are concerned about only the environment of their proposed quarry site alone.
4. The averment that the 2nd respondent had followed all the rules prescribed under law and had taken all the due diligence is not true and denied. The further allegation that he has not encroached into



the adjacent areas and caused environmental degradation is not true and denied. The extent of mining and removal of trees in the area can clearly be seen in the Annexure A7 google images which has been produced by the appellant. It would also reveal that the 2nd respondent had conducted illegal mining operations in land comprised in the same area on an earlier occasion. The appellant herein once again asserts that already a large area has been impacted as a result of several years of illegal mining and as a result of which the underground water, roads in the area has been drastically affected. Further mining in the area will adversely affect the environment at levels beyond repair. There is a clear documentary proof for the 2nd Respondent running a quarry in the year 2016 till 2021, in the adjacent property where the impugned EC is granted. Relevant pages of the District Mineral Survey Report (DSR) of the Palakkad District would reveal that the said quarry was included in the list of then existing Quarry leases in Palakkad District as entry number 9 in page 30 of the DSR. The survey number is clearly shown as 651/8 in Kunnathur-1 village. The quarry of the 2nd Respondent is shown as working from 2009 to 2021 even as per the DSR. A true photocopy of the relevant pages of the DSR of Palakkad District prepared in 2016 along with the list of mineral concessions is produced herewith and marked as **Annexure A15**. The 2nd Respondent has also filed a Writ Petition before the High Court of Kerala as WPC No.16072 of 2021 seeking an extension of his then existing quarry lease for one more year on account of Covid-19 pandemic and obtained a Judgment in his favor on 10.08.2021. A true copy of the Judgment dated 10.08.2021 in WPC No.16072 of 2021 is produced herewith and marked as **Annexure A16**. All these documents shows that the pleadings and



the Google Earth images shown in the Appeal Memorandum is a truthful reflection of facts. The appellant is constraint to produce this document at this stage only because the 2nd Respondent and the additional 3rd Respondent also has suppressed this crucial information from this Hon'ble Tribunal.

5. It is respectfully submitted that the averments raised by the 2nd respondent in Paragraph No. 6 of the reply statement is not true and denied. A considerably large portion of the project area has already been mined out before obtaining prior EC. This is a material fact deliberately concealed in the Form-1M application. In addition to this, the appellant submits that Form-2 application has been made mandatory for all applicants through the Office Memorandums of the MoEF and CC as well as the judgments of this Hon'ble Tribunal. However, no Form-2 application is seen filed by the 2nd respondent. The presence of a running quarry unit overlapping the boundary of the 2nd respondent's quarry unit has been deliberately suppressed in Form-1M application. The presence of several big trees, residential buildings, sensitive man-made structures like hospitals, cultural heritage centres, areas already subjected environmental damage, natural hazards, within 10 km of the project site has been tactfully concealed in the application submitted by the 2nd respondent.

6. It is respectfully submitted that the averments raised by the 2nd respondent in Paragraphs No. 7 to 10 of the reply statement is not true and denied. The main function of the SEAC, Kerala is to ensure that all the documents which is being produced by the 2nd respondent is properly scrutinized before the recommendation for EC. The SEAC, Kerala in its 155th meeting ought to reflect the



appraisal/ scrutiny of the documents submitted by the 2nd respondent. Instead, they are vaguely stated that they have gone through the documents and accordingly decided to recommend the project for EC. There needs to be a proper scrutiny of all the documents and the SEAC, Kerala has to reflect the same in its minutes, which is not done in the present case. The 155th meeting took up almost 86 case, wherein each project got less than 3.5 minutes to present their case and have the same scrutinized. Therefore, the argument of the appellant that the same was in a hasty and rushed manner speaks for itself from the documents produced. The appellant maintains his stand that none of the documents required is seen appraised or scrutinized from the minutes of the SEAC, Kerala.

7. It is respectfully submitted that the averments raised by the 2nd respondent in Paragraphs No. 11 and 12 of the reply statement is not true and denied. The averment of the 2nd respondent that the cluster certificate has been issued by the competent authority and the said certificate is issued with proper inspection is not true and denied. In the statement filed by the 3rd respondent it is clearly stated that the competent authority had not done inspection of the site and it was merely based on the affidavit given by the Village Officer, the 3rd respondent issued the cluster certificate. The averments in Paragraph No. 12 are also denied and has already been addressed by the appellant in the aforesaid paragraphs and is not repeating the same.
8. It is respectfully submitted that the averments and allegations raised by the 2nd respondent in Paragraphs No. 13 and 14 are not true and denied.



As per EIA Notification, 2006 and its amendment dated 15.01.2016 and 25.07.2018, the District Mineral Survey Report has to be prepared for each mineral separately and by following a procedure as mandated in the said notification. A perusal of Annexure A12 would reveal that no DSR has been prepared in Palakkad district for granite stone. This is strictly in contravention with the notification dated 15.01.2016 and 25.07.2018 issued by the MoEF & CC.

9. As per Appendix X of the EIA Notification, a Sub Divisional Committee headed by the Sub Divisional Magistrate has to conduct inspection of the site of the project proponent, for recommendation of the site for clearance and prepare a DSR report. As per the said notification dated 15.01.2016, a Sub-Divisional Committee comprising of (i) Sub-Divisional Magistrate, (ii) Officers from (a) Irrigation department, (b) State Pollution Control Board or Committee, (c) Forest department, (d) Geology or mining officer shall visit each site for which environmental clearance has been applied for and make recommendation on suitability of site for mining or prohibition thereof. The District Survey Report shall form the basis for application for environmental clearance, preparation of reports and appraisal of projects.

10. As per Paragraph 7(iii) of the EIA Notification, as brought in through notification dated 15.01.2016, the DEIAAs can consider applications for EC only after the preparation of a District Survey Report of that particular mineral in each district as mandated in Appendix X of the said notification. It is also mandated that the DEIAA have to approve DSR



prepared through the procedure mandated in notification dated 15.01.2016. Even though notification dated 15.01.2016 stipulated a procedure through which the DSR has to be prepared, later the MoEF & CC had substituted the same by Annexure A11 notification making it more scientific.

11. As per Exhibit P11, a new procedure and format is stipulated to prepare DSR for minor minerals other than the River Sand. Several parameters like the impact on the Environment (Air, Water, Noise, Soil, Flora & Fauna, land use, agriculture, forest etc.) due to mining activity; remedial Measures to mitigate the impact of mining on the Environment; reclamation of Mined out area (best practice already implemented in the district, requirement as per rules and regulation, proposed reclamation plan); risk Assessment & Disaster Management Plan.... are mandatorily to be incorporated in the DSR. As per Annexure A11, the DSR so prepared is a mandatory requirement for the consideration for EC.

12. As per Annexure A11 notification, the format for the preparation of the DSR should include several environmental aspects listed therein. In addition to this, the DEIAA based on the nature and type of minor mineral in the District may include the additional parameters in the District Survey Report in consultation with the Department of Mines and Geology of the concerned State Government. This law has been settled by the Hon'ble Apex Court in Judgment reported in **State of Bihar & Ors**



Vs Pawan Kumar & Ors reported in **2022(2) SCC 348** as well as **State of Uttar Pradesh Vs Gaurav Kumar** reported in **AIR 2025 SC 2503**.

13. It is respectfully submitted that the entire purpose for the exercise or procedure mandated under Appendix X of the EIA Notification is to ensure that all these parameters are closely examined and scrutinized for the preparation of a DSR by the Sub Divisional Committee. This is an exercise which they have to do together by conducting a field visit to each site for which an environmental clearance has been applied for and make recommendations with respect to the suitability of the project site for mining. This duty compels them to have a comprehensive and a real time perspective of the environment position of the district including its eco sensitivity and other fragilities. The DSR is supposed to be a document of seminal importance to enable informed decision making and therefore, it has to be prepared in the specific manner prescribed in Appendix X as held by the Hon'ble Apex Court in the matter of **State of Uttar Pradesh Vs Gaurav Kumar** reported in **AIR 2025 SC 2503**. Therefore, this is a process which has to be done together as a committee and the committee prepares the DSR and recommend the suitability of the site and examine all parameters and impose whatever conditions required to protect the parameters mentioned in Annexure A11 notification. Notifications dated 15.01.2016 and 25.07.2018 grants a wider scope to the procedure by which the DSR preparation has to be done in each district and manner in which it should be done. When a statute provides for a thing to be done in a particular manner, then it



has to be done in that manner, and in no other manner as held by the Apex Court in a plethora of cases. The procedure mandated in Appendix X is under the principles of precautionary principles. It is not only legal but mandatory and must be enforced strictly. In the present case, Annexure A12 is not only not prepared as per notifications dated 15.01.2016 and 25.07.2018 but its also way past its renewal period stipulated in the notification.

14. In Palakkad District, no separate DSR was prepared for the mineral 'Granite Stone'. Instead, the 1st respondent has chosen to prepare a namesake report as DSR for all minor minerals, without following any procedure or norm as mandated in notifications dated 15.01.2016 and 25.07.2018. **The old DSR has expired and the new DSR was in the draft stage while granting the impugned EC.** Without obtaining a DSR prepared for granite stone separately the 1st respondent has granted EC to the 2nd respondent by using a draft DSR. The 1st respondent had no power or authority to issue said EC without considering a proper DSR prepared as per notifications dated 15.01.2016 and 25.07.2018. Therefore, the averments raised by the 2nd respondent that the EC was granted by the 1st respondent after careful perusal and will not damage the environment will fail in limine.

15. It is respectfully submitted that the averments raised by the 2nd respondent in Paragraphs No. 15 and 16 are not true and denied. As per the statutory scheme, on the accredited consultants of NABET or RQP can prepare documents for obtaining prior EC. Here in the counter statement, the 2nd respondent does not aver to that fact as



to whether Dr Anoop is an accredited consultant or RQP by the NABET or QCI. Moreover, in the reply statement, the 2nd respondent is totally silent on various aspects including that of the cluster situation in the reply statement filed by him.

16. That, on the above-mentioned arguments, the statement of the 2nd respondent is to be rejected and the appeal is to be allowed.

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 rejoinder and allow this appeal, in the interest of justice.

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

Dated this the 20th day of December, 2025



DEPONENT

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



Harish Vasudevan
ADVOCATE

VERIFICATION

I, Noble M Paikada, aged 61 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 15 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



GOVERNMENT OF KERALA

DISTRICT SURVEY REPORT OF MINOR MINERALS (EXCEPT RIVER SAND)

PALAKKAD DISTRICT

Prepared as per
Environment Impact Assessment (EIA) Notification, 2006 issued
under Environment (Protection) Act 1986
by

DEPARTMENT OF MINING AND GEOLOGY
www.dmg.kerala.gov.in

November, 2016
Thiruvananthapuram

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DISTRICT SURVEY REPORT OF MINOR MINERALS

PALAKKAD DISTRICT

(This report is to be submitted along with application for Environmental Clearance (EC) for mining of all minor minerals except river sand)

1 Introduction

Palakkad (Palghat) is the land of Palmyrahs and Paddy fields. Palakkad is a major paddy growing area of the State. It is often called as the 'Gateway of Kerala'. There is considerable change in the land use and cropping pattern in the district for the last five years. Due to low income from paddy and coconut, farmers are changing the cropping pattern to cash crops like sugarcane, vegetables and flower cultivation. Over dependence on groundwater for domestic, irrigation and industrial purposes in the district has led to the lowering of water table and water scarcity especially along the eastern parts. In most of the areas especially in eastern part of the district decline of water levels necessitates deepening of existing dug wells and putting deep bore wells thereby increasing cost of pumping and quality deterioration. Local enquiry revealed that farmers have taken loan from the banks for putting bore wells and fitting pump sets for irrigation purposes. The district receives on an average 2362 mm of rainfall annually. During 1998 the district recorded a good rainfall of 2407 mm and subsequently the rainfall has been decreased considerably.

2 Drainage and Irrigation

The district is drained mainly by two rivers, viz. *Bharathapuzha* and *Bhavani* Rivers. Of these *Bhavani* is east flowing and form a tributary of the *Cauvery* River. *Bharathapuzha* basin can be divided into 50 watersheds and 290 mini watersheds. Soil erosion is more in the upstream parts of the basin. Dendritic is the common drainage pattern. 75 % of the population is depending on surface water resources for their irrigation needs, mainly from *Bharathapuzha*, its tributaries and other water bodies. There are 12 reservoirs in the district associated with two major rivers and its tributaries viz - *Parambikulam*, *Peruvaripallam*, *Thoonakadavu*, *Chulliyar*, *Pothundi*, *Moolathara*, *Meenkara*, *Walayar*, *Malampuzha*, *Gayathri*, *Kanjirapuzha* and *Mankulam*.

There are number of irrigation projects major and minor, existing in the district. The major projects are Malampuzha, Chittoorpuzha, Kuriar Kutty, Karapara, Kanjirapuzha and Attappady Valley Irrigation Project.

The major irrigation schemes are irrigating about 90,000 hectare of land and minor schemes irrigating about 2000 hectares of land. The main crops grown under the irrigation scheme are paddy, coconut, aracanut, plantain, grams, vegetables etc.

List of valid mineral concessions

Table 2a: List of Quarrying Lease granted for Granite building stone								
Sl. No.	Concession Holder's Name & Address	Concession No.	Survey No/ Re.Survey No.	Village	Taluk	Area (Ha)	Valid from	Valid to
1	Jacob Barry, Barry Estate, Kattusery(PO), Alathur.	269/2007-08/4448/M3/2007 dated, 20.07.07	Resy.no. 340/2pt	Alathur	Alathur	1 Hectres,	12years, 25.07.07	24.07.2019
2	M.D.Anil kumar, M/s Macadam Granites(P)Ltd, Pannikkode (PO), Palakkad	185/2007-08/4569/M3/2007/Dated, 19.06.07	ReSy.No. 427 pt, 435pt.	Erimayur II	Alathur	3.3630 hectres,	10 Years 21.07.2007	20.07.2017
3	M/s. Sahara Granites, Erimayur P.O, Palakkad	63/2012-13/3857/M3/2012 Dt. 28.04.2012	Sy.No. 35/2 & 35/3	Erimayur-I	Alathur	1.8485 Hectares	12 Years 02/05/2012	01-05-2024
4	M/s. Sahara Granites, Erimayur P.O, Palakkad	65/2012-13/3858/M3/2012 Dt. 28.04.2012	Re.Sy.No. 35/2	Erimayur-I	Alathur	2.4282 Hectares	12 Years 02/05/2012	01-05-2024
5	M/s. Sahara Granites, Erimayur P.O, Palakkad	66/2012-13/3859/M3/2012 Dt. 28.04.2012	Re.SyNo. 35/2	Erimayur-I	Alathur	2.6102 Hectares	12 Years 02/05/2012	01-05-2024
6	Sebi. P.L., S/o P.C. Lonai, Panikulangara House, Fashion Street, Mission Quarters, Thrissur - 5	389/2011-12/7219/M3/2011 dt. TVPM, 24.09.2011	Rsy No. 33/2 and 234/2	Kannambra I	Alathur	1.4504 Hect	12 years, 28.09.2011	27.09.2023
7	M/s Kottukapilly Sand & Metals (p) Ltd.,	298/2011-12/5714/M3/2011 dt. 16.08.2011	Sy No. 3/2	Kizhakkachery II	Alathur	2.8409 Hect	10 Years 23.09.2011	22.09.2021

	Kalpathy P.O., Palakkad.							
8	V.Sasidharan, Propreitor, M/s. SriSri Granites, Peecharoad, Chithali (PO), Palakkad	240/2008- 09/6739/M3/08/ dated, 14.07.08	Sy.no.663/4,8,9, 10	Kuthanur.1	Alathur	1.4089 Hectres	10 years 28.07.08	27.07.2018
9	Johsn Thomson, Proprietor, M/s. Tropical Granites, Tropical Estate, Kuthanur. P.O, Alathur, Palakkad	492/2008- 09/9439/M3/2008/dat ed, 15.11.08	Resy.no. 651/8	Kuthanur.1	Alathur	1.9320 Hectres	12 years 05.01.09	04.01.2021
10	P.P. Sebastian, Poovathukaran House, Thalore P.O., Thrissur	329/2010- 11/4775/M3/2010 dt. 20.08.2010	Resy.No. 268/2pt	Vadakkenchery I	Alathur	0.4318 Hect	12 Years 27.9.2010	26.09.2022
11	P.T.Davis, Managing Partner, Thomson Metals, Kombidinjamakkal,PO, Thazekkad	58/2011- 12/2870/M3/2011 dt.04.05.2011	Re.Sy. Nos. 208/1, 208/3,209/pt.,210/2 ,210/3,210/4,210/5	Muthalamada I	Chittur	4.8366 Hect.	12 Years 13.05.2011	12.05.2023
12	Binil K John, Mg. Director, Valluvanad quarries and Granites(Pvt) Ltd., Angamally, Ernakulam.	747/2010- 11/910/M3/2011 dt. 31.01.2011	Resy No. 330/2 pt., 330/3pt; and 331/1 pt.	Ambalappara I	Ottappalam	1.5348 Hect	12 Years 11.02.2011	10.02.2023
13	Ajaiwilson, Managing Partner, M/s Malabar Blue Metal, Vengassery	184/2008- 09/7822/M3/2007 dated, 19.08.08	Sy.Nos. 460/5pt, 462/9, 462/5, 106/1 pt	Ambalappara.1.	Ottappalam	1.4164 hectres,	12 years 18.07.08	17.07.2020

	(PO) Ambalappara, Palakkad.							
14	Raphy.P.J., Pudussery pady House, Thrikkur (PO), Thrissur.	296/2008- 09/6890/M3/2008/dat ed, 13.08.2008.	Sy.no. 226/3	Chalavara	Ottappalam	0.8094 Hect.	10 years, 26.09.08	25.09.2018
15	M/s Blue Chips Mines & Industries, Vembalathupadam, Kailiyad P.O., Ottappalam.	Pro.order.No. 668/2008- 09/7814/M3/08 dt Tvpmm, 31.01.2009 and 304/09- 10/7814/M3/08 dt. 14.09.2009 and Re execution vide Pro.No. 268/2011- 2012/7814/M3/2008 dt. 29.07.2011 of DMG	Sy No. 168/ 11 A,	Chalavara	Ottappalam	1.6100 Hect	12 Years 26.08.2011	25.08.2023
16	Geosons Aggregates, Amayur, Pattambi, Palakkad.	32/2006- 07/3471/M3/06 dated, 25.04.06	59/4	Koppam	Ottappalam	0.6070 hectres,	12 years 07.06.2006.	06.06.2018
17	M.K.Joseph, Mg. Partner, M/s. Malabar Granites, Amayur P.O., Pattambi, Palakkad.	792/2010- 11/4999/M3/2010 dt. 24.02.2011	Resy Nos. 365,366 367/5	Koppam	Ottappalam	3.5204 Hect	12 Years 09.03.2011	08.03.2023
18	M/s J & P Construction & J & P Granites, Choorakode P.O., Pattambi, Palakkad.	Pro.order No. 535/2011- 12/7819/M3/2011 dt. 15.11.2011.	Rsy No. 7578/2	Vallappuzha	Ottappalam	1.6190 Hect.	10 Years 30.11.2011	29.11.2021



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

TUESDAY, THE 10TH DAY OF AUGUST 2021 / 19TH SRAVANA, 1943

WP(C) NO. 16072 OF 2021

PETITIONER:

- 1 JOHN THOMSON,
AGED 63 YEARS,
S/O. LATE THOMSON J VALLIKAPPAN,
PROPRIETOR, TROPICAL GRANITES, KUTHANUR P.O,
ALATHUR, PALAKKAD - 678721.

BY ADVS.
PHILIP J. VETTICKATTU
SAJITHA GEORGE

RESPONDENTS:

- 1 THE DIRECTOR OF MINING AND GEOLOGY DEPARTMENT
GOVERNMENT OF KERALA,
DIRECTORATE OF MINING & GEOLOGY,
KESAVADASAPURAM, PATTOM P.O,
THIRUVANANTHAPURAM, PIN - 695001.
- 2 THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY,
DISTRICT OFFICE, PALAKKAD - 14.

BY GOVERNMENT PLEADER SRI HANIL KUMAR HARSHAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 10.08.2021, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

**J U D G M E N T**

~ ~ ~ ~ ~

Dated this the 10th day of August, 2021

The petitioner seeks to direct the respondents to issue a certificate extending the validity of Ext.P1 quarrying lease for a period of one year in terms of Ext.P2 Government Order, commencing from the date of disposal of Ext.P4 application.

2. The petitioner was granted a Quarrying Lease for an extent of 1.9320 Hectares of land comprised in Survey No.651/8 of Kuthannur-I Village in Alathur Taluk of Palakkad District. The petitioner is running a quarrying unit there. The period of Ext.P1 quarrying lease expired on 04.01.2021. The Government of Kerala accorded sanction for extension of validity of quarrying leases/permits by one more year. Thereupon, the petitioner submitted Ext.P4 representation before the 1st respondent for extension of the validity of



quarrying lease. The said representation is not considered so far. Hence, the petitioner has approached this Court.

3. Heard the learned counsel for the petitioner and the learned Government Pleader representing the respondents.

4. The petitioner is holder of Ext.P1 Quarrying Lease, the period of which stands expired on 04.01.2021. By Ext.P2 Order, the Government of Kerala, Industries (A) Department has accorded sanction for the extension of the validity period of quarrying permits and quarrying leases for a period of one year, in view of outbreak of Covid-19 and subsequent lockdowns. In view of the said Ext.P2 order, the 1st respondent is bound to consider the request of the petitioner.

In the circumstances, the writ petition is disposed of directing the 1st respondent to consider Ext.P4 representation submitted by the petitioner in the light of Ext.P2 Government Order and pass appropriate orders on Ext.P4 in accordance with law, within a period of one month.

Sd/-
N. NAGARESH, JUDGE



WP(C) No.16072/2021

: 4 :

APPENDIX OF WP (C) 16072/2021

PETITIONER'S EXHIBITS:

- Exhibit P1 TRUE COPY OF QUARRYING LEASE DATED 5.1.2009 EXECUTED IN FAVOUR OF THE PETITIONER.
- Exhibit P2 TRUE COPY OF GO(RT) NO.203/2021/ID DATED 12.02.2021.
- Exhibit P3 TRUE COPY OF PROCEEDINGS OF POLLUTION CONTROL BOARD BEARING NO. PCB/HO/CIRCULAR/2015 DATED 18.03.2021.
- Exhibit P4 TRUE COPY OF REPRESENTATION DATED 22.2.2021 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.
- Exhibit P5 TRUE COPY OF JUDGMENT DATED 24.03.2021 PASSED BY THIS HON'BLE COURT IN WP(C) NO.326/2021.
- Exhibit P6 TRUE COPY OF JUDGMENT DATED 2.6.2021 PASSED BY THIS HON'BLE COURT IN WP(C) NO.11664/2021.

SR