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ASHOK BHUSHAN , Ag. CJ,
&
A.M.SHAFFIQUE, J.

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W.P. (C) No. 7801 of 2015 - C
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Dated this the 12th day of March, 2015

JUDGMENT

Ashok Bhushan, Ag.CJ.

Heard the learned counsel for the petitioner and the learned Government Pleader.

2. This public interest litigation has been filed by the petitioner challenging Ext. P1 which is an order dated 5-09-2014 issued by the Department of Environment & Climate Change on the basis of the proceedings dated 7-08- 2014 of the State Environment Impact Assessment Authority, Kerala.

2. Petitioner's grievance is that after obtaining the said environmental clearance, the 10th respondent had caused substantial extraction damaging the hillock. He submits that representations have also been submitted before several authorities including the District Collector and Revenue

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Divisional Officer.

3. The Public Interest Litigation challenging the clearance by Environmental Assessment Committee, do not call for any interference on the grounds which have been raised in the Writ Petition. Since the expert body has been examined and granted environmental clearance, it is not for this Court in this Writ Petition to enter into such issues, especially, when allegations in this regard is subsisting, subsequent to the clearance. In any event, if any conditions are violated, it is for the authorities competent to take appropriate action. But that cannot be a ground to interfere with the environmental clearance. Petitioner may pursue his remedy before the competent authorities.

With this observation, this Writ Petition is dismissed.

Sd/- ASHOK BHUSHAN ,
Ag. CHIEF JUSTICE

Sd/- A.M.SHAFFIQUE,
JUDGE

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/true copy/

P.D. to Judge

APPENDIX

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF THE SANCTION LETTER ISSUED BY THE 6TH RESPONDENT DATED 7-8-2014

EXT.P2: TRUE PHOTOGRANS, SHOWING THE RESPECTIVE EXCAVATIONS CARRIED OUT BY THE 10TH RESPONDENT

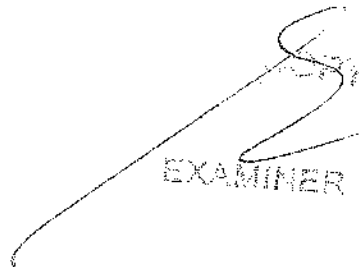
EXT.P3: TRUE PHOTOGRAPHS

EXT.P4: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIOENR AND OTHERS BEFORE THE DISTRICT COLLECTOR KOLLAM DATED 27-02-2015 AND ITS TRANSLATION

EXT.P5: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER AND OTHERS BEFORE THE REVENUE DIVISIONAL OFFICER, KOLLAM DATED 27-2-2015 AND ITS TRANSLATION

EXT.P6: TRUE COPY OF THE REPRESENTATION SUBMKITTED BY THE PETITIONER BEFORE THE ASSISTANT ENGINEER, GROUND WATER DEPARTMENT DATED 27-2-2015 AND ITS TRANSLATION

EXT.P7: TRUE COPY OF THE ACKNOWLEDGEMENT ISSUED FROM THE OFFICE OF THE MINING AND GEOLOGY DEPARTMENT DATED 3-3-2015 AND ITS TRANSLATION

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EXAMINER

