

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Application No.108 of 2015 (SZ)

In the matter of

Muhammed. O

Arimbra Post, Kondotty Taluk

Malappuram, Kerala

.. Applicant

Vs

1.Member Secretary

Kerala State Pollution Control Board

2. The District Collector, Malappuram Dt, Kerala

3. The Additional District Magistrate

Malappuram District, Kerala

4. The Director, Mining and Geology Department

Trivandrum, Kerala

5. The Secretary, Morayoor Grama Panchayath

Kondotty Taluk, Malappuram Dt, Kerala

6. The Superintendent of Police, Malappuram Dt, Kerala

7. Managing Director, Morayoor Granites

Arimbra, Morayoor, Malappuram Dt, Kerala

8. Kodithody Hamza, Arimbra, Kondotty Tk

Malappuram, Kerala

.. Respondents

Counsel appearing for the applicant

M/s. P. Rajesh & Sumipriya. S.

Counsel appearing for the respondents

For respondent No.1 .. Smt Rema Smrithi

For respondents 2 to 4 & 6 .. Smt. Suvitha A.S

O R D E R

Quoram

Hon'ble Shri Justice Dr.P. Jyothimani, Judicial Member

Hon'ble Shri P.S. Rao, Expert Member

Dated: 13.7.2016

We have heard the learned counsel appearing for the applicant as well as respondents. In spite of service, respondents 7 and 8 have not appeared.

2. The application is for the grant of an order of injunction against the respondents 7 and 8 from carrying on quarrying or mining operations anywhere in the Arimbra Hills, Malappuram District, Kerala, including clearing of vegetation without obtaining prior EC

and other mining permissions from the concerned authorities and also restraining the said respondents from establishing or operating crusher unit in the above said place without submitting revised plan.

3. It is an admitted case that in respect of the crusher unit, the said respondents have not obtained "Consent to Establish". However, it is stated that there is no activity in respect of the crusher unit

4. Regarding the quarrying activity, the respondents 7 and 8 have not applied for "consent" from the Kerala Pollution Control Board and the Board has also not given any "consent". It is the case of the Board that the quarrying activity has not been started in the place concerned. The learned counsel appearing for the fourth respondent would also submit that the Geologist has not given any mining permission.

5. In view of the same, the prayer asked for by the applicant has been answered and the application stands disposed of in the above terms.

However, we make it clear that the Board/Geologist would not grant any permission, except following due process of law and shall not permit any one from carrying on either mining activity or quarrying activity without prior permission.

Justice Dr.P. Jyothimani

Judicial Member

Shri P.S. Rao

Expert Member