

**(2021) 06 KL CK 0340**

**In the High Court Of Kerala**

**Case No : Writ Petition (C) No. 10301 Of 2021**

Habeeb Rahiman P.M.,S/O.Muhammed

APPELLANT

Vs

State Environment Impact Assessment Authority (Seiaa),  
Kerala

RESPONDENT

---

**Date of Decision : 23-06-2021**

**Acts Referred:**

**Citation : (2021) 06 KL CK 0340**

**Hon'ble Judges : N.Nagaresh, J**

**Bench : Single Bench**

**Advocate : Lijin Thamban, G.S.Krishnan Kartha, M.P.Sreekrishnan, Manu Raj**

**Final Decision : Disposed Of**

---

## **Judgement**

N. Nagaresh, J

1. The petitioner seeks to direct the 1st respondent to revalidate Ext.P4 Environmental Clearance given to the petitioner considering the life of the

Mine Lease.

2. The petitioner was granted Environmental Clearance (EC) for his quarrying project in Survey No.78/2A in Kumaranallur Village in Kozhikode

District. The eco-friendly mining lease obtained by the petitioner on 24.01.2015 was for a period of 12 years. As the quarrying lease was executed on

24.01.2015, it would expire only on 23.01.2027, contends the petitioner. However, the EC granted to the petitioner was limited to a period of five years.

3. The petitioner would submit that this Court has held in the judgment in Mathew Abraham T. v. State Level Environment Impact Assessment

Authority and others [2020 (6) KHC 596] that the EC cannot be limited to a

shorter duration than for the project life. The petitioner seeks the benefit of the said judgment.

4. Heard the learned counsel for the petitioner, the learned Standing Counsel for the 1st respondent and the learned Government Pleader representing respondents 2 and 3.

5. In the judgment in Mathew Abraham T. (supra), this Court has held that if it is found that EC to be granted for a mining project, the same shall be granted for the life of project as estimated by Expert Appraisal Committee concerned. Following the said judgment in Mathew Abraham T. (supra), this Court has granted relief in W.P.(C) No.3908/2021. The petitioner's case is identical to W.P.(C) No.3908/2021 and hence the petitioner is also entitled to identical relief.

6. Taking note of the aforesaid facts, I deem it appropriate to dispose of this writ petition also in line with the directions issued in the judgment referred

above, making it clear that the petitioner herein shall prefer application before the SEIAA within a week from the date of receipt of a copy of this

judgment, for re-validation of the Environment Clearance Certificate already issued to him in the past. The SEIAA shall, on receipt of the said

application, inform the petitioner of the further documents/details if any required from him for processing his application, within two weeks therefrom.

Thereafter, on receipt of the information called for, the SEIAA shall consider that application and pass orders as directed by this Court within four

months from the date of receipt of the information from the petitioner.

The writ petition is accordingly disposed of.