

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Application No. 150 of 2013 (SZ) (THC)
(W.P. No. 21802 of 2012, High Court of Kerala)

Applicant(s) Respondent(s)
The Paristhithi Samrakshna Samithi Vs. The District Collector, Ernakulam
Okkal, Ernakulam and others

Legal Practitioners for Applicant(s) Legal Practitioners for Respondents
M/s. Mathew Abraham, Advocate Ms. Suvitha, A.S., Advocate for
R-1, R-3 and R-4
Shri Ajay, Advocate for R-5

Note of the Registry	Orders of the Tribunal
Order No. 4	<p>Date : 3rd December 2013</p> <p>When the matter is taken up for hearing this day, the counsel for the applicant and also for all the respondents are present. According to the counsel appearing for the respondent, the District Collector, due to a prescheduled meeting, the Collector could not be present this day and the concerned Deputy Collector is present along with the report of the District Collector.</p> <p>Ventilating the grievance that there was illegal sand mining in the banks of Periyar river, a Writ Petition was filed before the Hon'ble High Court of Kerala and on orders of transfer, the same was transferred to this Tribunal and the same is taken on file.</p> <p>After looking into the averments and hearing the counsel for the petitioner, an interim order along with a direction was issued to the respondents. A report is filed by the District Collector concerned and it is also stated by the Deputy Collector, who is present before the Tribunal this day, that an enquiry was made wherein the Tahsildar, Police Officials and other authorities were</p>

present and suitable instructions were given to them and a number of prosecutions were launched against the wrong doers and as on today, the illegal sand mining was stopped. He would also add that a team has been constituted consisting of both officials from Revenue and Police Departments to monitor the same.

The learned counsel appearing for the applicant would also fairly concede that the illegal sand mining has been stopped and as on today, there is no illegal sand mining. It is pertinent to point out that the applicant filed the Writ Petition before the Hon'ble High Court of Kerala which has been transferred to this Tribunal, has only prayed for a direction to the respondent authorities to take proper action against the illegal sand mining in the banks of Periyar river. In view of the report filed by the respondent, the District Collector and in view of the submission made by the counsel appearing for the applicant, it would be suffice to record their statements and the application can be disposed of with a direction to the respondents, the District Collector, the Superintendent of Police and also the Kerala State Pollution Control Board to monitor so that the illegal sand mining shall not recur in the banks of Periyar river in future along with a direction that the applicant is at liberty to approach the Tribunal if the illegal sand mining is noticed in future. With the above directions, the application is disposed of.

No cost.

Prof. Dr. R. Nagendran
(Expert Member)

Justice M. Chockalingam
(Judicial Member)