

Item No.08(i) & (ii):-

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

(Through Video Conference)

**Original Application No. 30 of 2023(SZ) &
I.A. No. 43 of 2023(SZ)**

With

**Original Application No. 31 of 2023(SZ) &
I.A. No. 44 of 2023(SZ)**

IN THE MATTER OF:

Manjunath Poojari
Udupi District,
Karnataka.

...Applicant(s)

Versus

Union of India,
Represented by its Secretary,
MoEF & CC, New Delhi & ors.

...Respondent(s)

Date of hearing: 12.09.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

O.A. No. 30/2023(SZ):

For Applicant(s): Mr. Deepak Narayanan.

For Respondent(s): Mr. Rajat Jonathan Shaw represented
Mr. K.M. Darpan for R2, R4 & R5.
Mr. H.K. Vasanth for R3.

O.A. No. 31/2023(SZ):

For Applicant(s): Mr. Deepak Narayanan.

For Respondent(s): Mr. Rajat Jonathan Shaw represented
Mr. K.M. Darpan for R2, R4 & R5.
Mr. H.K. Vasanth for R3.

ORDER

1. Mr. G. Stanly Hebzon Singh, the learned counsel for the applicant represented that he has given the change of vakalat.
2. Today, Mr. Deepak Narayanan, the learned counsel filed his vakalat on behalf of the applicant. Along with the said vakalat, he has also filed a memo seeking permission to withdraw the Original Application itself.
3. The Original Application is filed questioning the large scale illegal mining of sand in the riverbed of Varahi River causing an irreparable loss to the environment. The prior Environmental Clearance was granted under the 'B2' category where the mining should only be done manually, whereas the 6th Respondent is doing the mining using machines. Besides, the 6th Respondent is doing excessive mining against the permitted quantity.
4. We had asked the SEIAA - Karnataka to inspect the site and file a detailed report.
5. Today, the learned counsel appearing for the SEIAA - Karnataka has filed the report, wherein it is stated that they have asked for a Bathymetric Survey Report from the Department of Mines and

Geology to compute the environmental compensation payable by the 6th Respondent.

6. While the memo filed on behalf of the applicant to withdraw this application cannot be allowed, instead we discharge the applicant from this case and we will proceed with the matter Suo Motu.
7. So, in view of the memo, the applicant Mr. Manjunath Poojari and his counsel are discharged from both the cases and let the matter be treated as a Suo Motu application.
8. We direct the SEIAA - Karnataka to follow up with the Department of Mines and Geology and file a report regarding the further details required.
9. Post the matter on **16.10.2023**.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No. 30/2023 (SZ) &
I.A. No. 43/2023(SZ),
O.A. No. 31/2023(SZ) in
I.A. No. 44/2023(SZ)
12th September, 2023. AD.