

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application No.83 of 2015 (SZ)

Applicant(s)

Respondent(s)

Mr.H.A.Kishor Kumar, Advocate
President, Malenadu Janapara
Horata Samiti, Behind Dental College
Vidyanagar, Hassan, Karnataka

Vs.

The Union of India, rep. by its
Secretary, MoEF, New Delhi
and 6 others.

Legal Practitioners for Applicant(s)

Legal Practitioners for Respondents

Shri. A. Yogeshwaran

Smt.M.Sumathi for R1,R3 & R5
Shri Devraj Ashok for R2, R4
M/s.Thirunavukarasu and
Swarnalatha for R6
M/s.Naveen R.Nath and
A.Sheik Peer for R7

Application No.138 of 2015 (SE)

Applicant(s)

Respondent(s)

C.Yattiraju
Tumkuru, Karanataka State

The State of Karnataka thro' the
Chief Secretary, Vidhana Soudha
Ambedkar Veedhi, Bangalore
and 11 others

Legal Practitioners for Applicant(s)

Legal practitioners for respondent(s)

M/s.Prince Isac, Bhavya A.C.

Smt.M.Sumathi for R2 to R6 & R11
Shri Devaraj Ashok for R1, R7, R8
R9, and R12
M/s.Naveen R.Nath and
A.Sheik Peer for R10

COMMON ORDER

Note of the Registry	Orders of the Tribunal
.	Date : 28th September, 2015 These applications are relating to the activity stated to have been performed on the project titled "Yattinahole Project" which is being challenged by the applicants.

Application No.83 of 2015 has been specially posted before the II Bench of the Southern Zone by the Hon'ble Chairperson. Subsequently, Application No.138 of 2015 has been filed in respect of the same subject matter which is also posted before the II Bench.

However, now it is informed that another application in Application No.49 of 2015 has been filed in respect of the same subject matter which has been posted before the I Bench of the Southern Zone which is also said to have been posted today.

In as much as all these three matters are stated to be connected and one matter viz., Application No.83 of 2015 has already been specially posted before II Bench of the Southern Zone, we direct the Registry to place the papers relating to all these applications before the Hon'ble Chairperson for passing appropriate orders as to which Bench has to hear all these three applications.

The Registry shall expedite the matter as the matter involves certain public issues.

There appears to be an application filed for impleading by the persons who are the beneficiaries of the affected District and the said application shall also be posted on the next date of hearing.

The learned counsel appearing for the applicant in Application No.138 of 2015 has pressed for an order of interim stay on the ground that large amount of public money is being spent illegally and the project involved in various areas and unless and until an alternate site is proposed even in non-forest areas, the activities cannot go on.

The learned counsel appearing for the project proponent has already made a statement that in respect of the forest area no activity will be carried on and the same has been recorded.

Considering the importance of the issues involved in this case, the Registry shall expedite the matter so as to enable the Hon'ble Chairperson to pass appropriate orders. Till such time, the statement made by the learned counsel appearing for the project proponent shall continue to be in operation.

Post these applications on 13th October, 2015.

In the meantime, we make it clear that all the respondents shall complete the filing of the pleadings, after exchanging copies with the learned counsel appearing for the applicants, who shall be entitled to file rejoinder, if any. Pleadings are expected to be completed on the next date of hearing so as to enable this Tribunal to take up the matter for final disposal. The parties are entitled to file additional documents, if any, which are to be completed on the next date of hearing.

Prof.Dr. R. Nagendran
(Expert Member)

Justice Dr.P.Jyothimani
(Judicial Member)