

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

Application No. 38 of 2013 (SZ)

Applicant(s)  
Aranmula Heritage Village Protection Vs.  
Action Council, rep. by its Patron  
Aranmula Post, Pathanamthitta

Respondent(s)  
Union of India and others

Legal Practitioners for Applicant(s)  
M/s. Ramesh Kumar Chopra and  
Era Meyappa, Advocates

Legal Practitioners for Respondents

<b>Note of the Registry</b>	<b>Orders of the Tribunal</b>
Order No. 1	<p>Date : 2<sup>nd</sup> April 2013</p> <p>Heard the counsel for applicant. The application is admitted. Notice is ordered to the respondents.</p> <p>At the time of admission, the learned counsel for the applicant presses for a order of interim stay of the operation of G.O.(P) No. 54/11/ID, dated Thiruvananthapuram, 24<sup>th</sup> February, 2011 notification issued by the 4<sup>th</sup> respondent and all constructional activities of the airport in question. The learned counsel for the applicant submits that the 9<sup>th</sup> respondent who purchased 350 acres of paddy field along with trees therein, diverted a water course which runs from the holy river Pampa and has also converted all the paddy fields for the purpose of construction of a private airport and has applied for the same both to the 1<sup>st</sup> respondent and also to the 4<sup>th</sup> respondent and obtained permission therefor in a fast manner and thereby the 9<sup>th</sup> respondent has commenced construction of the airport activities in violation of law and also pursuant to the grant of EC and permission given in violation of law and also fully detrimental to the ecology and environment and by the said activities, the entire paddy fields were</p>

converted for construction of airport and it has caused significant environmental degradation and under such circumstances, these activities have to be stopped immediately and if not done, it would be a continuing injury caused to the ecology and environment and hence an order of interim injunction of stay of the notification has to be granted.

After hearing the learned counsel and also looking into the materials placed, the Tribunal is satisfied that the applicant has made out a *prima facie* case for the grant of an injunction of stay to the notification under question and also the constructional and other connected activities of the 9<sup>th</sup> respondent which are being done for the purpose of construction of airport until further orders.

Accordingly interim stay is ordered for the operation of the G.O. (P) No. 54/11/ID, dated, Thiruvananthapuram, 24<sup>th</sup> February, 2011 of the 4<sup>th</sup> respondent / Government until further orders. Interim injunction is also ordered for construction and other connected activities of the 9<sup>th</sup> respondent which are being done for the purpose of construction of the airport until further order.

Notice is ordered to the respondent Nos. 1, 2, 4, 5, 6, 7, 8, 9 and 10. Smt. C. Sangamithirai, counsel undertakes to file memo of appearance for respondent Nos. 3 and 11. The matter is posted to 30.04.2013.

Prof. Dr. R. Nagendran  
(Expert Member)

Justice M. Chockalingam  
(Judicial Member)