

ITEM NO.3

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 230/2001

M.K. BALAKRISHNAN . &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA MINISTRY OF ENVIRONMENT, FOREST  
AND CLIMATE CHANGE & ORS.

Respondent(s)

Date : 11-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MS. JUSTICE BELA M. TRIVEDI

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UPON hearing the counsel the Court made the following  
O R D E R

This petition filed in the year 2001 has prayed inter alia for following reliefs :

- (i) Issue notice to the Union of India and the States of the Union and after hearing parties direct the respondents to refrain from converting wetlands and to take all necessary measures for protection and preservation of wetlands in India.
- (ii) Issue a writ, order or direction in the nature of writ of mandamus directing the respondents to refrain from converting wetlands and to take all necessary steps to protect and preserve wetlands in National interest under Section 5 of the Environment (Protection) Act, 1986.
- (iii) Issue directions to the respondents to constitute an authority under Section 3(3) of the Environment (Protection) Act, 1986 with all the powers necessary to deal with the situation created by conversion of wetlands in India and for protection and preservation of balance remaining wetlands and to pay compensation for such illegal conversion, as this Hon'ble Court feels fit and proper in the circumstances of the cases.
- (iv) Issue any other writ or order or directions which this Hon'ble Court deems fit and proper in the circumstances of the case.

This matter has been engaging attention of this Court on number of occasions and pleadings have been exchanged between the parties. Various orders and directions have been passed by this

Court from time to time and there have been amendments in the governing statutory provisions.

Mr. Gopal Sankaranarayanan, learned Senior Counsel appearing for the petitioners, submits that with the passage of time, certain issues which still survive and require attention of this Court shall be catalogued by the petitioners along with material in support of his submissions by way of fresh affidavit so that attention can be focused on those issues; which will in turn enable all the learned counsel for the appearing parties to address their submissions.

We accept the submissions made by Mr. Sankaranarayanan, learned Senior Counsel, and give time of three weeks to him to place the affidavit on record. Let the digitised version of the affidavit be shared with all the learned counsel for appearing parties who may file their responses within three weeks. No response shall thereafter be entertained by the Registry of this Court.

Learned Advocate instructing Mr. Sankaranarayanan, learned Senior Counsel, shall compile all those responses in a compilation along with basic affidavit and the matter shall be considered in light of these pleadings alone.

List the matter for further consideration on 29.11.2022.

(SANJAY KUMAR-II)  
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)  
BRANCH OFFICER