

Court Report and Record of Proceedings

Case Number: Black Case No. 1 of 2025

Court: Administrative Court Phuket

Date of Hearing: Monday, November 3, 2025

Time: Full day proceedings

Case Title

Layan Residents Group v. AYANA, VERDE, and SUNHILLS Developments

Challenge to Nine EIA Permits and Associated Construction Approvals

Parties

Plaintiffs (13 Total)

The plaintiffs represent established estates and enterprises in the Layan area:

- **Layan Estate** – Plaintiffs 9 to 13
- **Ocean Breeze** – Plaintiff 8
- **Lakewood Estate** – Plaintiffs 1 to 3
- **Layan Gardens** – Plaintiffs 4 and 5
- **RCH (Thailand) Ltd** - Plaintiff 7
- **LS Pavilions Ltd** – Plaintiff 6

Legal Representation

Plaintiffs' Legal Team: Aekniti Law Firm

Defendants

Three major property developments in Layan area:

1. AYANA Development
2. VERDE Development
3. SUNHILLS Development

Respondent Authorities

- OrBorTor (Local Administrative Organization)
 - EIA Committee
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Summary of Proceedings

The Phuket Administrative Court conducted a full day of hearings on November 3, 2025, to consider the acceptance of a lawsuit filed by the Layan Residents Group challenging nine Environmental Impact Assessment (EIA) permits issued by local authorities for three major developments in the Layan area.

Submissions and Evidence Presented

The plaintiffs, led by community representative **Mark Ford McNicol**, presented comprehensive evidence to the Court throughout the day. The following materials were admitted into the court record:

1. Oral Testimony

- Detailed testimony from Mark Ford McNicol (Layan Residents Community Representative)
- Expert testimony from Dr. Roland Bleszynski (Civil Engineering and Architectural Consultant)

2. Written Legal Documents

- Comprehensive legal submissions from Aekniti Law Firm
- Legal analysis of EIA violations and procedural irregularities

3. Technical Evidence

- Technical findings from Geotechnical Professionals
- Environmental impact analysis from Miss Pinyada Sibsiri (Khun Ae), Environmental Consultant
- Three large Geotechnical Models illustrating the environmental impact of the developments

Presence of Respondent Authorities

The hearing was notable for the presence of:

- **Chair of the EIA Committee**
- **Representatives from the OrBorTor**

Both parties were **cross-questioned by the presiding Judge** regarding their oversight of the projects and the EIA approval process.

Critical Disclosure

During cross-examination, the **OrBorTor confirmed that no construction permit has been issued to SUNHILLS** at the location currently under excavation. This disclosure is of particular significance given the ongoing construction activities at the site.

Court Decision

Following the full day of submissions and cross-examination, the **Phuket Administrative Court officially accepted the lawsuit** and registered it as **Black Case No. 1 of 2025**.

Court Orders and Next Steps

Order to Authorities (15-Day Deadline)

The Court has ordered the relevant authorities, including the OrBorTor, to submit within **15 days**:

1. Evidence of all actions taken concerning the EIA approval process
2. Account of enforcement of mitigation measures
3. Documentation of compliance monitoring and oversight activities

Subsequent Court Proceedings

Once the authorities have submitted their evidence, the Court will proceed to:

1. **Rule on Compliance:** Determine whether the developers and authorities have properly followed procedures mandated under environmental and civil law
 2. **Consider Remedies:** Evaluate the plaintiffs' requests for:
 - Damages for environmental harm and impacts on community
 - Full cancellation of the nine EIA permits
 - Cancellation of associated construction permits
 - Further rectification measures to remediate environmental damage
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Grounds of the Lawsuit

The lawsuit challenges nine EIA permits on the following grounds:

1. **Systematic Violations:** Developers have systematically violated the terms of the EIA permits
 2. **Inconsistencies in Construction:** Actual building and site preparation activities are inconsistent with approved EIA plans
 3. **Failure to Implement Mitigation:** Blatant ignoring of agreed EIA mitigation measures by the three development companies
 4. **Environmental Degradation:** Significant environmental harm to the Layan area
 5. **Public Health Risks:** Direct threats to the health and well-being of community members
 6. **Threats to Life and Property:** Ongoing construction activities pose direct threats to neighboring properties and residents
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Significance of the Case

This case represents the first major legal challenge to development practices in the Layan area and has been designated as Black Case No. 1 of 2025 by the Administrative Court Phuket, indicating its significance and priority status.

The plaintiffs represent long-term established communities that have been the backbone of the Layan area for years. The case seeks to protect the Layan community and the beautiful Layan area from illegal and environmentally damaging development practices.

Emergency Developments Post-Hearing

Note: On the night of November 5-6, 2025 (two days after this hearing), a catastrophic boundary collapse occurred at the SUNHILLS development site, resulting in the entire southern boundary wall of Layan Estate collapsing into the illegally excavated site. This event has prompted an emergency audience request with the Court to immediately halt all activity at SUNHILLS until the site is stabilized and made safe.

Contact Information

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For Full Case Updates:

www.LayanEnvironmental.com (Media Section)

Report Prepared: November 6, 2025

Case Status: Accepted and Active - Awaiting Authority Submissions (Due: November 18, 2025)
