

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Application Nos.14, 16, 38 & 40 of 2017 (SZ)**

Applicant(s)

Respondents

**Application No.14 of 2017**

Meenava Thanthai  
K.R. Selvaraj Kumar  
Rep. by its President

M.R. Thiyagarajan  
Royapuram, Chennai

1. The Chairman  
National Coastal Zone Management  
Authority, MoEF & C, New Delhi
2. The State of Tamil Nadu  
rep. by its Secretary to Govt  
Environment & Forest Dept, Chennai
3. The State of Tamil Nadu  
Rep. by its Secretary to Govt, PWD, Chennai
4. The Member Secretary,  
State Coastal Zone Management Authority  
Chennai
5. The District Collector, Thiruvallur
6. The Chairman  
Tamil Nadu Pollution Control Board  
Chennai
7. The ADGP, Coastal Security Group  
DGP Office Complex, Mylapore, Chennai
8. The Tahsildhar, Ponneri
9. M/s. Kamarajar Port Ltd., rep. by its  
Chairman, Chennai
10. M.T. Dawn Kancheepuram  
Arya Voyagers Pvt. Ltd.,  
Rep. by its Managing Director, Mumbai
11. M.T. BW Maple, rep. by its Chairman  
Chennai
12. The Member Secretary, Central  
Pollution Control Board, New Delhi
13. The Director General  
Ministry of Shipping, New Delhi.
14. MoEF, New Delhi (suo motu)

Counsel appearing for applicant

Counsel appearing for respondent/s

Mr. K. Mageshwaran

Mr. G.M. Syed Nurullah Sheriff for R1&14  
M/s. M.K. Subramanian,  
E. Manoharan &  
P. Velmani for R2 to R5, R7 & R8  
Mrs.H. Yasmeen Ali for R6  
M/s.Krishna Ravindran  
A.Charles Darwin & S.Praveen  
Kumar for R9  
Mr.S. Vasudevan for R10  
Mr. Raghunathan, T.Poornam,  
Sharanya Vaidyanathan for R11  
M/s. D.S Ekambarm & P. Jayalakshmi for R12  
Mr.Su. Srinivasan for R13

**Application No.16 of 2017 (SZ)**

Applicant (s)

Respondents

Saravanan Dakshinamurthy  
No.11A, Muthallamman Kovil Stre  
Selaiyur, Chennai 73

Vs. The Union of India  
rep.by its Secretary, Ministry of  
Environment and Forests,  
Climate Change, Jorbagh,  
New Delhi

2. The Union of India, rep. by its  
Secretary, Ministry of Shipping  
New Delhi

3. The Indian Coast Guard, rep by  
Its Director General, Chennai

4. The State of Tamil Nadu, rep.  
By its Director, Dept of Env &  
Forest, Chennai

5. Kamarajar Port Ltd. Rep. by its  
Chairman cum M.D, Chennai

6. M.T. Dawn Kanchipuram  
Arya Voyagers , rep. by its M.D  
Mumbai

7. M.T. BW Maple, rep. by its  
Chairman, Chennai

8. The Central Pollution Control Bd  
Rep. by its authorised officer

9. The Tamil Nadu Pollution  
Control Board, Delhi

Legal Practitioners for Applicant (s)

Yogeshwaran A,  
Neha Miriam Kurian

Legal Practitioners for Respondents

Mr.Syed Nurullah Sheriff for R1  
Mr.Su Srinivasan for R2 & R3  
Mr.M.K.Subramanian for R4  
M/s.Krishna Ravindran  
A.Charles Darwin &  
S.Praveen Kumar for R5  
Mr. S. Vasudevan for R6  
Mr. Raghunathan, T.Poornam,  
& Sharanya Vaidyanathan for R7  
Mr.D.S.Ekambaram &  
P. Jayalakshmi for R8  
Mr.H.Yasmeen Ali for R9

**Application No.38 of 2017 (SZ)**

Applicant(s)

Ashwini Kumar  
R/o. E-38, Greenwood City  
Sector – 46, Gurgaon – 122003

Respondent(s)

1. Union of India  
Ministry of Environment and Forests  
New Delhi, through Secretary
2. Ministry of Shipping, through its  
Director, New Delhi
3. State of Tamil Nadu  
Through Chief Secretary, Chennai
4. Tamil Nadu State Pollution Control Board  
Thro. Its Member Secretary, Chennai
5. Kamarajar Port Ltd., Chennai
6. Tamil Nadu Maritime Board, Chennai
7. Indian Oil Corporation, New Delhi
8. Tokio Marine Holdings Inc  
Rep.in India thro  
M/s.IFFCO – Tokio General Ins.Co  
Owners of MV Maple Galaxy  
Gurgaon, Hasryana
9. M.T. Dawn Kanchipuram  
Arya Voyagers , rep. by its M.D  
Mumbai

Counsel appearing for applicant

M/s. VSA Legal Advocates

Counsel appearing for respondent/s

Mrs. Me. Saraswathy for R1  
Mr. Su. Srinivasan for R2  
Mr. M.K. Subramanian for R3  
Mrs. Yasmeen Ali for R4 & R6  
M/s.Krishna Ravindran  
A.Charles Darwin &  
S.Praveen Kumar for R5  
Mr. S.Vasudevan for R9

**Application No.40 of 2017 (SZ)**

Applicant(s)

P. Somasundaram  
Advocate  
Delhi

Respondent(s)

1. Union of India  
Ministry of Environment and Forests  
New Delhi, through Secretary
2. Union of India, rep.by its Secretary  
Ministry of Shipping & Road Transport  
And Highways, New Delhi
3. Director General of Shipping  
Bombay
4. Central Pollution Control Board  
Through its Chairman, New Delhi

Counsel appearing for applicant

M/s. P.V. Yogeswaan  
K. Maylsamty

Counsel appearing for respondent/

Mrs. Me. Saraswathi for R1  
Mr. Su. Srinivasan R2 & R3  
Mr.D.S.Ekambaram &  
Mrs. P. Jayalakshmi for R4

**M.A. No.32 of 2017**

**M.A.No.35 of 2017**

Note of the Registry	Orders of the Tribunal
Item No.6-9	Date: 6th July, 2017  We have heard the learned counsel appearing for the parties.  The Director of Fisheries has filed a Compliance Report

in which the Director has enumerated various steps taken for the purpose of ascertaining the persons who are affected. It is stated that certain applications have been received from the Members of the applicant association viz., Meenava Thanthai K.R. Selvaraj Kumar Meenavar Nala Sangam. However, Mr. Sridhar, learned counsel appearing for the said Association would submit that remaining applications are not received and they are prepared to submit the applications in proper format.

The learned counsel appearing for the Government would submit that if the applications are submitted they will be received.

We make it clear that the remaining applications shall be submitted by the concerned persons within two weeks from today in the prescribed format. We make it clear that after the expiry of the said period, no application shall be received by the Fisheries Department.

After the receipt of all the applications within the time stipulated, within six weeks thereafter, the Fisheries Department shall process the applications and decide the persons who are eligible for receiving compensation and

file a Status Report. The eligibility criteria shall be in respect of individual fisherman. After the completion of the said process by the Fisheries Department, the other respondents shall complete the process of settling the entire claim within two weeks thereafter.

In so far as it relates to the investigation, we have directed in our order dated 26.4.2017 that the Government shall take proper steps for the purpose of conducting investigation by the properly trained officer.

We make it clear that while proceeding with the investigation, the government shall get the assistance of the Expert specialised in the field and file a Status Report on the next date of hearing.

In our order, we have made it very clear that all these activities shall be done under the supervision of the Director General of Shipping and this direction shall continue to be in force.

Mr. Syed Nurullah Sheriff, Mrs.Me.Saraswathy learned counsel appearing for the MoEF & CC submits that the MoEF & CC and the Tamil Nadu Pollution Control Board have conducted a joint inspection on 29.6.2017 and the

ground water samples taken have been sent for analysis and report will be filed on the next date of hearing.

The other directions given in our order dated 26.4.2017 shall continue to be in force.

Post the applications on 12.9.2017.

....., JM  
(Justice Dr.P.Jyothimani)

.....,EM  
(Shri P.S. Rao)

