

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****APPLICATION NO. 107 OF 2013 (SZ)**

(W.P. (MD) No. 10408/2011 – Madurai Bench of Madras High Court)

In the matter of

G. Somasundaram,
S/o Govindasamy,
Secretary,The Perumanallur Puranagar Paghuthi
Anaithu Nagar Nalasangam,
18, Rajalakshmi Nagar,
Ammasathiram Post – 612 103,
Thiruvidadaimaruthur Taluk,
Thanjavur District .

...Applicant

Vs

1. The District Collector,
Thanjavur District, Thanjavur.
2. The Kumbakonam Municipality,
Rep. by its Commissioner,
Kumbakonam Municipality,
Kumbakonam, Thanjavur – 612 001.
3. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
No. 3, 4th Cross Street, Sriram Nagar,
Thanjavur – 613 044.

...Respondents

Counsel appearing for the applicant

M/s B. Prasanna Vinoth

Counsel appearing for the respondents

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| For respondent No. 1 | ... M/s M.K. Subramanian, |
| For respondent No. 2 | ... Mr. Abdul Saleem, Mr. Saravanan |
| For respondent No. 3 | ... Smt H. Yasmeen Ali |

ORDER

Present

Hon'ble Shri Justice Dr. P. Jyothimani, Judicial Member

Hon'ble Shri P.S. Rao, Expert Member

7th August, 2017

There is no appearance on behalf of the applicant. The records show that the applicant has not been appearing for several hearings.

The prayer in the writ petition is for a direction to forbear the 2nd respondent – Municipality from dumping the Municipal Solid Waste in Survey Nos.25/12, 26, 27/1, 28/1 and 30/1 in Theperumanallur Extension, Ammasathiram Post, Thiruvudaimarudhur Taluk, Thanjavur District.

2. The case of the applicant is that the said survey numbers were purchased by the Municipality for the purpose of erecting the Effluent Treatment Plant and much against the purpose, the area is being used for dumping waste.

3. The 2nd respondent – Municipality has filed the reply. In the reply it is stated that the Municipality consists of 45 Wards and the Solid Waste generated in the municipal region is about 70 MT per day out of which 40 MT is degradable and 30 MT is non bio-degradable. The Municipality has employed 174 Sanitary Workers, apart from engaging 250 workers through Madurai Meenakshi Solid Waste Clearing Agency, Karaikudi, a private agency engaged in disposal of Municipal Solid Waste. Apart from the said man power, 3 Compactor lorries, 8 Dumper placer lorries, 4 Tipper Lorries and 5 Tata Ace Vehicles, 45 Tricycles, 120 Push carts are also pressed into service for the solid waste disposal. The Municipality is carrying on source segregation of Solid Waste by providing different colour bins to all the households and making door to door collection and implementing the Solid Waste Management Rules, 2016.

4. During Mahamaham 60,000 MT solid waste was collected and dumped at Thepperumanallur Compost Yard and at present the same is being processed and about 23,000 MT waste is so far cleared and the remaining Solid Waste will be cleared before the 1st week of September, 2017. It is also stated that the daily collection of 70 MT solid waste will be

segregated and cleared at the newly constructed mechanized pad. It is also stated that the compound wall has been erected on four sides of the compost yard wherein the waste is processed and according to the 2nd respondent - Municipality for reclamation of the existing dumping yard bio mining is under progress and 70% of the old solid wastes were segregated. The Municipality has also presented the papers relating to the bio-methanation project and as per the said Scheme bio- methanation is being carried on. It is stated that the Municipality has framed the bye-laws which has come into force from 10.5.2017, the date on which the bye-laws were notified in the Government Gazette.

5. It is stated that the Municipality has made application for 'consent' under Water (Prevention and Control of Pollution) Act, 1974 and the Rules made thereunder on 12.5.2016 in Form No.I for bio-methanation and on the same day application in Form No.II for Mechanized Pad. We direct the 3rd respondent – Tamil Nadu Pollution Control Board to process the applications and pass appropriate orders within 10 days from today. After the 'consent' as well as 'authorization' are obtained, it is open to the 2nd respondent – Municipality to proceed in accordance with law.

With the above direction, the application is disposed of. There shall be no order as to cost.

Justice Dr.P.Jyothimani
Judicial Member

Shri P.S.Rao
Expert Member

