

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

**Application No. 109 of 2016 (SZ)**

**IN THE MATTER OF:**

B. Ramraja,  
Door No.10, Suriyagandhi Nagar,  
3<sup>rd</sup> Street (North),  
Muthialpet,  
Puducherry – 605 003

... Applicant(s)

**AND**

1. The Chairman,  
National Coastal Zone Management Authority,  
Ministry of Environment & Forests,  
Paryavaran Bhawan,  
C.G.O. Complex, Lodhi Road,  
New Delhi – 110 003.
2. The Member Secretary,  
The Director of Tamil Nadu State  
Coastal Management Authority &  
Department of Environment,  
Panagal Building,  
No.1, Jeenis Road, Saidapet,  
Chennai – 600 015.
3. The District Collector,  
District Collectorate,  
Villupuram – 605 602.
4. The District Environment Engineer,  
Tamil Nadu Pollution Control Board,  
District Collectorate Master Plan Complex,  
4/308, Ellees Sanram Road,  
Villupuram – 605 602.
5. K.R. Siva,  
Proprietor,  
(Professional Courier),  
No.167, Kamakshi Amman Koil Street,  
Puducherry – 605 001.
6. Tmt. R. Vallimayil,  
W/o. K. Ramachandran,  
No.77, Rainbow Nagar,  
4<sup>th</sup> Cross Street,  
Puducherry – 605 011.

7. Mr. K.R. Ramesh,  
S/o.K. Ramachandran,  
No.77, Rainbow Nagar,  
4<sup>th</sup> Cross Street,  
Puducherry – 605 011

(R6 and R7 impleaded as per the order  
dated 10.03.2017 in M.A. Nos.18 Of 2017)

... Respondent(s)

**Counsel appearing for the Applicant:**

**M/s. K.A. Mariappan**

**Counsel appearing for the Respondents:**

**Mr. G.M. Syed Nurullah Sheriff for R1**  
**M/s. M.K. Subramanian, E. Manoharan for R2 and R3**  
**Mrs. H. Yasmeen Ali for R4**  
**M/s. S. Bhargavan for R5, R6 and R7**

**ORDER**

**PRESENT:**

**HON'BLE SHRI JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER**

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**Dated 05<sup>th</sup> October, 2017**

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Whether the Judgement is allowed to be published on the Internet – Yes/No  
Whether the Judgement is to be published in the All India NGT Reporter – Yes/No

The applicant is absent today also. The applicant was continuously absent. It was listed today making it clear that on the failure of the applicant necessary orders will be passed in his absence.

2. The application is filed with a prayer to stop construction and developmental activities carried out by respondent No.5 in the lands in Survey Nos.367/11, 367/12, 368/13, 369/3, 398/1, and 399/1 aggregating to 6.80 acres at Kottakuppam Village, Vanur Taluk of Villupuram District contending that it is in violation of the Coastal Regulation Zone (CRZ) Notification, 2011.

3. The reply filed by respondent No.3, the District Collector and the reply affidavit filed by respondent No.4 reveal that the disputed land is in CRZ-III area and for any construction, clearance under CRZ Notification, 2011 is necessary. The reply also reveals that the Barbed wire fencing has been constructed without obtaining CRZ clearance. The reply reveals that an application for EC under CRZ Notification, 2011 was filed earlier, but due to the declaration of election, it could not be considered and later the matter has been taken up and being considered. A show cause notice has already been issued against respondent No.5 for violation of the CRZ Notification, 2011.

4. The reply filed by the respondent No.5 reveals that subsequently on 03.11.2016 clearance under CRZ Notification, 2011 was granted in favour of respondent No.5. A copy of the proceedings dated 03.11.2016, has been produced by respondent No.5.

5. In such circumstances, nothing remains in the application, as the grievance is that without necessary clearance under the CRZ Notification, 2011 construction is carried out. The clearance has now been obtained by respondent No.5. For violation of the CRZ Notification, 2011 by constructing the barbed wire, steps have already been initiated by issuing show cause notice. Hence nothing further remains in the application. Moreover, the applicant is absent. In such circumstances, the application is disposed as infructuous with no order as to costs.

6. Applicant is at liberty to challenge the clearance granted, if so advised, in accordance with law.

Justice M.S. Nambiar  
Judicial Member