

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

OA NO. 104 of 2021

K. Ramsingh,

... Applicant

Versus

1. State Environment Impact Assessment Authority
And Ors.

... Respondents

**REPLY STATEMENT FILED ON BEHALF OF THE 5th AND 6th
RESPONDENTS**



**M/s. VIJAYA MEHANATH
COUNSEL FOR THE 5th and 6th RESPONDENT
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**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI**

O.A.No.104 OF 2021

K.Ramsingh,
S/o.Mr.Kandasamy,
No.3/93, South Street,
Theertharappapuram Post,
Alangulam Taluk,
Tenkasi District – 627 423.

... Applicant.

-Versus-

1. State Environment Impact Assessment Authority,
Government of Tamil Nadu,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.
2. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road,
Guindy, Chennai – 600 032.
3. The Deputy Director,
Department of Geology and Mining,
Government of Tamil Nadu,
Collectorate,
Kokkirakulam, Tirunelveli – 627 009.
4. The District Collector,
Collectorate,
No.82, Railway Feeder Road,
Tenkasi – 627 811, Tenkasi District.
5. The Superintending Engineer,
O/o. The Superintending Engineer,
TANGEDCO, Anna Building,
Thiyagaraya Nagar, Tirunelveli – 627 011.
6. The Assistant Engineer,
Distribution – TANGEDCO,
Seraikkaranpatti, Kadayam,

- Tenkasi District – 627 415.
7. Mr.N.Mohamed Mahaboob,
Proprietor – AP Nadanoor Rough Stone,
Jelly and Gravel Quarry,
No.8/142, Main Road,
Pottal Pudur, Ambasamudram Taluk,
Tenkasi District – 627 423.
8. Mr.K.Sasikumar,
S/o.V.Kalangiam,
Proprietor - AP Nadanoor Rough Stone,
Jelly and Gravel Quarry,
No.9/303, Nainar Koil Street,
Velappanaiyeripatti, Thippanampatti Village,
Tenkasi District – 627 423. ... Respondents.

REPLY STATEMENT FILED ON BEHALF OF THE
5th & 6th RESPONDENTS

I, **S.Murasolimaran**, S/o.M,Sankaran, aged about 32 years having office at Distribution Kadayam/Ambasamudram Sub Division, do hereby solemnly affirm and sincerely state as follows:

1. I state that I am officiating as Junior Engineer of Tamil Nadu Generation and Distribution Corporation (TANGEDCO), the 5th Respondent herein and as such I am well acquainted with the facts of the case from the available records.
2. I submit that the above Application has been filed seeking for the following reliefs:
 - i. Direct the 1st to 4th Respondents to take action against the 7th & 8th Respondents for violation of conditions prescribed in the license issued to Respondents in RC No.M1/44736/2016 dated 12.12.2017 and RC No.M1/34173 dated 17.08.2017 to the 7th and 8th Respondents respectively.
 - ii. Direct the respondents 7 and 8 to restore the well and the environment pollution free.

I submit that the Applicant had also sought for the following interim order:

Ad-interim injunction restraining the Respondents 5 & 6 from giving electricity service connection to the 7th and 8th Respondents quarry as well as crushing units situated at A.P.Nadanur Panchayat and Pottalpuddur Panchayat.

3. I humbly submit that I have read the contents of the above application and at the outset I deny all the averments contained in this Application against the answering Respondents except those that are specifically admitted therein. I am filing this Reply Statement in my official capacity on behalf of the 5th & 6th Respondent also as I am authorised to do so. I humbly crave leave of this Hon'ble Tribunal to file additional reply statement by TANGEDCO at a later stage.
4. I humbly submit that the Tamil Nadu Electricity Board was formed on July 1, 1957 under section 54 of the Electricity (Supply) Act 1948 in the State of Tamil Nadu as a vertically integrated utility responsible for power generation, transmission and distribution. The electricity network has since been extended to all villages and towns throughout the State. TNEB was restructured on 01.11.2010 into TNEB Limited; Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) and Tamil Nadu Transmission Corporation Limited (TANTRANSCO).
5. I submit that the at the foremost, TANGEDCO has not violated any rules and regulations to come under the purview of this Hon'ble Tribunal and as such the Application is liable to be dismissed against TANGEDCO.
6. I submit that the private Respondents submitted an application seeking for HT electricity service connection along with the documents necessary for the grant of service connection as per the Tamil Nadu Electricity Distribution Code and under Section 43 of the Electricity Act, 2003.

7. I submit that on scrutiny of the Application made by the 7th Respondent, he was directed to pay a sum of Rs.8,76,730 towards deposit based on the estimate for effecting the HT Service Connection. The 7th Respondent made the payment on 25.08.2020' nnnnnnnnn. In pursuance of the payment made the service connection was effected to the 7th Respondent on 04.01.2021 in HT Service Number 366.
8. In so far as the 8th Respondent is concerned based on his application dated 05.02.2020, a detailed estimate was prepared for effecting the supply from 11KV HT power by erecting a 11 KV HT line from A.P.Nadanoor to Theerthrapapuram by tapping at Alwarkurichi 11 KV feeder. The detailed estimate was approved by the Chief Engineer/Distribution, Tirunelveli on 23.09.2020. I submit that as per the approval the line is to be erected for a length of 5.3 kms comprising 107 poles. I further submit that the applicant i.e., Mr.K.Sasikumar had also made the payment of Rs.13,14,880/- towards HT service connection on 06.10.2020.
9. I submit that on receipt of the payment TANGEDCO took up the erection work and had laid 93 poles out of the 107 poles. I submit that when the erection work entered A.P.Nadanoor, TANGEDCO faced serious objections and 4 poles erected in the said village were damaged and TANGEDCO has lodged a complaint on 19.01.2021 before the Alwarkurichi Police Station and the same pending investigation.
10. During the enquiry, the persons who damaged the poles came forward to pay the amount for two poles and for two other poles amount is yet to be paid. Further, one Mr.R.Saravanaraj, had filed O.S.No.190 of 2020 seeking for a bare injunction restraining the TANGEDCO from erecting any towers in his property. I submit that due to various objections and repeated agitations by the villagers for the erection of the poles, the erection work was suspended and a peace committee meeting was convened on 22.02.2021 at the

office of the 4th Respondent. Based on the said meeting, TANGEDCO again took up the erection work during March, 2021 and on 11.03.2021, the work was again disturbed/ objected by the villagers and hence, the entire work was stopped on 11.03.2021 and since then no work was taken by TANGEDCO to effect electricity supply to the 8th Respondent herein.

11. I submit that as the villagers were agitating for the work, the 4th Respondent directed TANGEDCO to submit a report and based on the direction TANGEDCO submitted a report to the 4th Respondent on 25.03.2021. By the said report it was intimated to the 4th Respondent that work has been stopped from 11.03.2021.
12. I submit that due to the non completion of the erection work TANGEDCO is facing financial loss and material loss. TANGEDCO is contemplating to submit a proposal under Section 10 and 16 of the Indian Telegraph Act, 1885 to the 4th Respondent seeking enter upon permission to complete the work and effect the supply to the 8th Respondent herein. I submit that as on date there is no electricity service connection to the 8th Respondent herein.
13. I submit that while the above being the facts, the present application has been filed against the 7th and 8th Respondents herein and based on the direction issued by this Hon'ble Tribunal the Joint Committee inspected the quarry site on 20.07.2021 and the Joint Committee has also submitted its report before this Hon'ble Tribunal.
14. Meanwhile, letter dated 20.10.2021 was issued by the 2nd Respondent herein seeking to disconnect the power supply effected to the 7th Respondent and based on the said letter the service connection was disconnected on 20.10.2021 and as such there is no power supply to the 7th Respondent as well.

15. I submit that there is no violation of any rules and regulations in the erection of poles and TANGEDCO has not acted in any manner damaging the environment as well. I further submit that TANGEDCO shall abide by any direction issued by this Hon'ble Tribunal.

Under the above placed facts and circumstances, I humbly pray that this Hon'ble Tribunal may be pleased to dismiss the above application on merits in so far as TANGEDCO is concerned and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in circumstance of the case and thus render justice.

Dated at Chennai on this 18th day of November, 2021.


 JUNIOR ENGINEER
 * Distribution
 TANGEDCO (TNEB LTD)
 KANDYKOTTA 5

VERIFICATION

I, S, Murasolimarman, son of M. Sankaran, aged about 32 years, having office at Kadayam Distribution Section do hereby verify that the contents of paras 1 to 15 are true to the best of my knowledge and I have not suppressed any material fact.

Verified at Tenkasi on this day of 18th November, 2021.


S. DINESH, M.A., B.L.,
 Advocate & Notary
 8G, Velan Complex, Perumal Kovil Street
 TENKASI - 627 811
 Cell : 94436 13224
 Enrollment No: MS. 1789/1999


 JUNIOR ENGINEER
 * Distribution
 TANGEDCO (TNEB LTD)
 KANDYKOTTA 5


 JUNIOR ENGINEER
 Distribution
 TANGEDCO (TNEB LTD)
 KADAYAM - 627415

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

O.A.No.104 OF 2021

K.Ramsingh,
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Theertharappapuram Post,
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Tenkasi District - 627 423.

... Applicant.

-Versus-

State Environment Impact
Assessment Authority,
Government of Tamil Nadu,
3rd Floor, Panagal Maaligai,
No.1, Jeenis Road, Saidapet,
Chennai - 600 015 & others.

... Respondents.

**REPLY STATEMENT FILED ON BEHALF
OF THE 5th & 6th RESPONDENTS**

**M/s. M.VIJAYAMEHANATH
COUNSEL FOR RESPONDENTS No.5 & 6**