

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE BENCH, CHENNAI)  
IN  
ORIGINAL APPLICATION NO. 106 OF 2021 (SZ)**

**OBJECTIONS FILED BY THE APPLICANT TO THE REPORTS FILED BY  
THE RESPONDENTS**

**Index**

| <b>S.No</b> | <b>Particulars</b>  | <b>Page No.</b> |
|-------------|---|-----------------|
| 1.          | Objection   | 1-5             |
| 2.          | Annexure I - The copy of Google Map                         | 6               |
| 3.          | Annexure II - The copy of the photos (cracks in the houses) | 7-11            |
| 4.          | Annexure III - The copy of the photos (Dust Pollution)      | 12-18           |

Dated at Chennai on this the 26<sup>th</sup> day of February, 2022.

**M/s. K.NAGENDRAPRASAD**

**G.PRABHU**

**T. JOHN ALEXANDER**

**M. ARUN**

**Counsel for Applicant**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTHERN  
ZONE) CHENNAI.**

**Original Application No. 106 of 2021**

**BETWEEN**

M. Kathirvel (42 years)  
S/o. K. MarappaGounder,  
No. 138, Kattumunnur Post,  
Munnur Village, Pugalur Taluk,  
Karur District – 639 111  
E-Mail: kathirvelmarappagounder@gmail.com  
Phone: 93607 02669  
**...Applicant**

**AND**

1. Union of India  
Rep. by the secretary,  
Ministry of Environment, Forests & Climate Change,  
Indira Paryavaran Bhavan, Jor Bagh,  
New Delhi – 110 003.  
E-Mail: secy-moef@nic.in  
Phone: +91-11-24695262, +91-11-24695265

2. Tamil Nadu Pollution Control Board,  
Represented by its Chairman,  
Anna Salai, Guindy,  
Chennai. 600 032  
E-Mail: tnpcb-chn@gov.in  
Phone: 044 - 2235 3076

3. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
No. 26, Ramakrishnapuram West,  
Karur - 639 001  
E-Mail: tnpcbkarur@gmail.com  
Phone: 04324 - 230522

4. The Assistant Director of Geology & Mining,  
302, collectorate Complex,

Karur District – 639 007  
E-Mail: mine.tnkar@nic.in, mine.tnkar@gmail.com  
Phone: 04324-255113

5. The District Collector,  
Karur District,  
Karur – 639 007  
E-Mail: collrkar@nic.in  
Phone: 4324-257511

6. The State Environmental Impact Assessment Authority,  
Represented by its Member Secretary,  
No.1, Jeenis Road, Panagal Building,  
Saidapet,  
Chennai – 600 015  
E-Mail: mstnseiaa@yahoo.com  
Phone: 044- 24359974

7. The Revenue Divisional Officer,  
Revenue Divisional Office,  
Karur - 639 007  
E-Mail: rdokar.tnkar@nic.in  
Phone Number: 9445000453

8. Devaraj  
S/o. Subramani,  
7/14, Raj Residency  
Pon Nagar, Andankovil,  
Karur District – 639 002  
E-Mail: balavinayagablumetals@gmail.com  
Phone: 9842440250

9. T. Selvarani  
W/o. K. Kandasamy  
59/1/4, Raj Residency  
Pon Nagar, Andankovil,  
Karur District – 639 002  
E-Mail: balavinayagablumetals@gmail.com  
Phone: 9842340250

10. Thiru. Thangaraj,  
S/o. Kandasamy,  
59/1/4, Raj Residency  
Pon Nagar, Andankovil,

Karur District – 639 002  
E-Mail: balavinayagablumetals@gmail.com  
Phone: 98423 40250

11. M/s. BalaVinayaga Blue Metals,  
Represented by its Manager Partner  
Mr. Thangaraj,  
SF. 571, Saminatha Puram,  
Munnur Post, Pugalur Taluk,  
Karur District - 639 111  
E-Mail: balavinayagablumetals@gmail.com  
Phone: 98423 40250

...

**Respondents**

**OBJECTIONS FILED BY THE APPLICANT TO THE REPORTS FILED BY  
THE RESPONDENTS**

1. At the outset the applicant respectfully submit that the reports filed by the joint committee upon inspections dated 28.07.2021 and 13.08.2021 has failed to make a proper inspection and reply filed by the respondents also doesn't bring out the environmental degradation caused by the Respondents 8 to 11 by operating the quarries in deliberate violation of the norms and procedures established by law.

2. I respectfully submit that the inspection committee has miserably failed to observe that the agricultural land at S.F.No. 620 is located within **125 Meters** from crusher unit. However, the distance violation was not brought on record by the committee. Instead, in the report filed by the committee it was stated that the nearby houses located at Rayagoundanputhur was also inspected and noticed that the houses were located at the distance of 225 meters from the quarry and 505 meters from the crusher unit. The said observation of the committee is factually incorrect since the agricultural land is located with 125 Meters from the crusher unit and the

said fact is evident from the google map (The copy of Google Map is attached as Annexure I).

3. I respectfully submit that the committee has failed to bring on record the environmental degradation as well as the damage caused to the nearby dwelling houses due to abnormal blasting. The said fact was brought to the notice of the committee by the applicant and other habitants at the time of inspection and also the excessive cracks in the dwelling houses caused said abnormal blasting were showed to the committee members but none of the facts were brought on record by the committee. The cracks in the houses nearby the quarries were measured by joint committee in the presence of the complainant but the same was not included in the report (The copy of the photos is attached as Annexure II).

4. I respectfully submit that no digital survey was conducted in the quarry to ascertain the extent of violation caused by the excess mining done by the respondents 8 to 11. Therefore, the gravity of the impact caused by the excess mining even after the expiry of the lease period, was left unearthed.

5. I respectfully submits that the committee miserably failed to record the severe air pollution (Dust Pollution) caused by the crusher unit of the respondent 8 to 11, to the agricultural land, well, tress of the nearby area including that of the applicant's. At the time of inspection, the dust was washed away due to recent rain and without considering the same the committee has erroneously observed that the air pollution control measures were in operation in the respondent unit. However, till date excess dust formation is happing over the tress and nearby houses. (The copy of the photos is attached as Annexure III)

Therefore, in the above circumstances it is humbly prayed that this Hon'ble tribunal may be pleased to take on record the objections of the applicant and pass further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

x M. Jathijal

Solemnly affirmed at Chennai on this,  
the 26<sup>th</sup> day of February, 2022, he having  
signed his name in my presence

CHENNAI

BEFORE ME

S. Ambekar

ADVOCATE: S. AMBEEKAR  
M.S. 257/2022  
NO. 91, 2<sup>nd</sup> Main Rd,  
Rajavathinagar Nagan  
Kudungalur  
Chennai - 600119



SF NO: 620  
AGRILAND

125 Meter

Bala Vinayaga Crusher Unit

Jedachi Kariyagovundar  
Swamy Temple  
Oglinéé  
Temporarily Closed

X

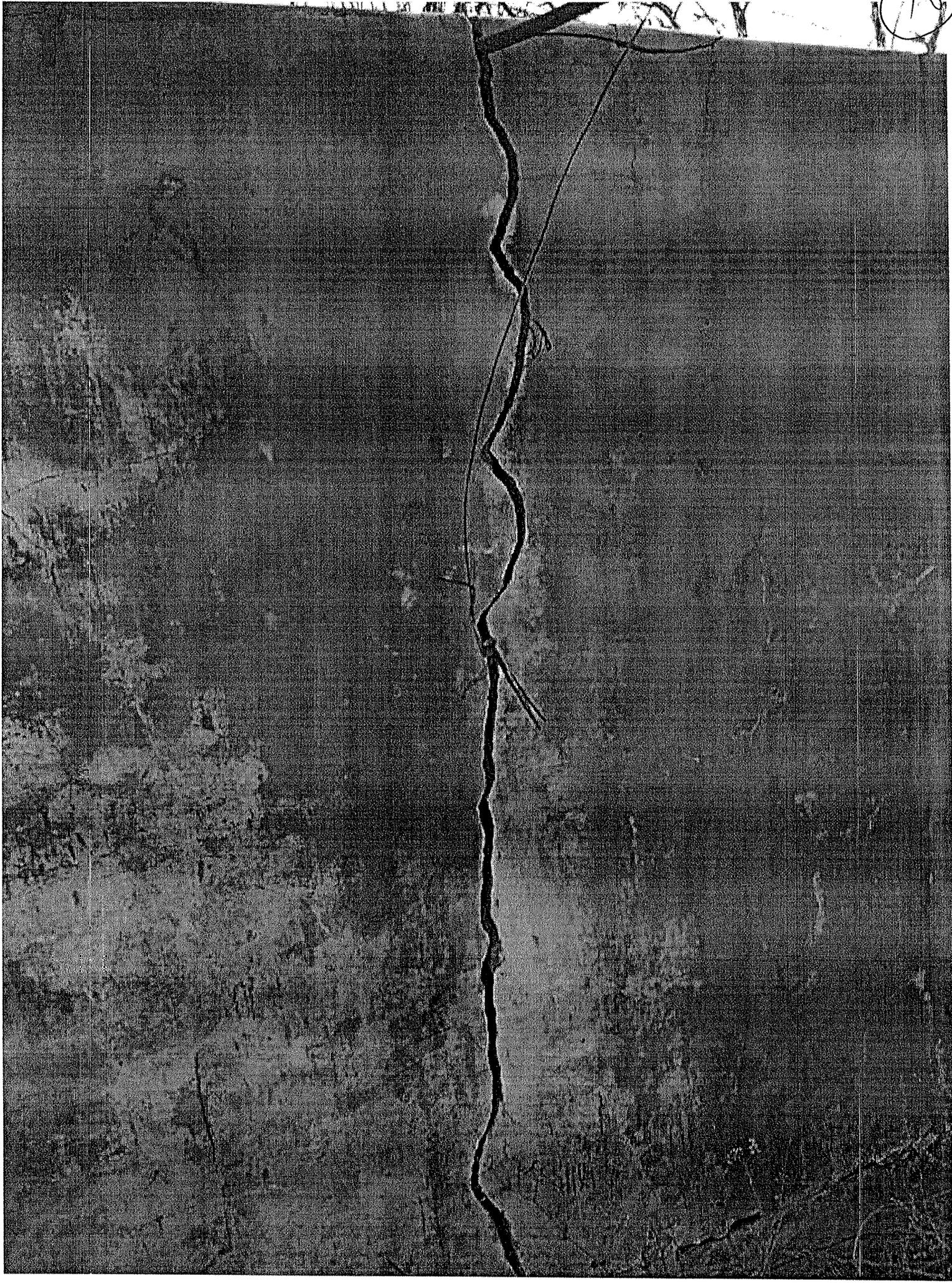
Distance 124.89 m

Start new

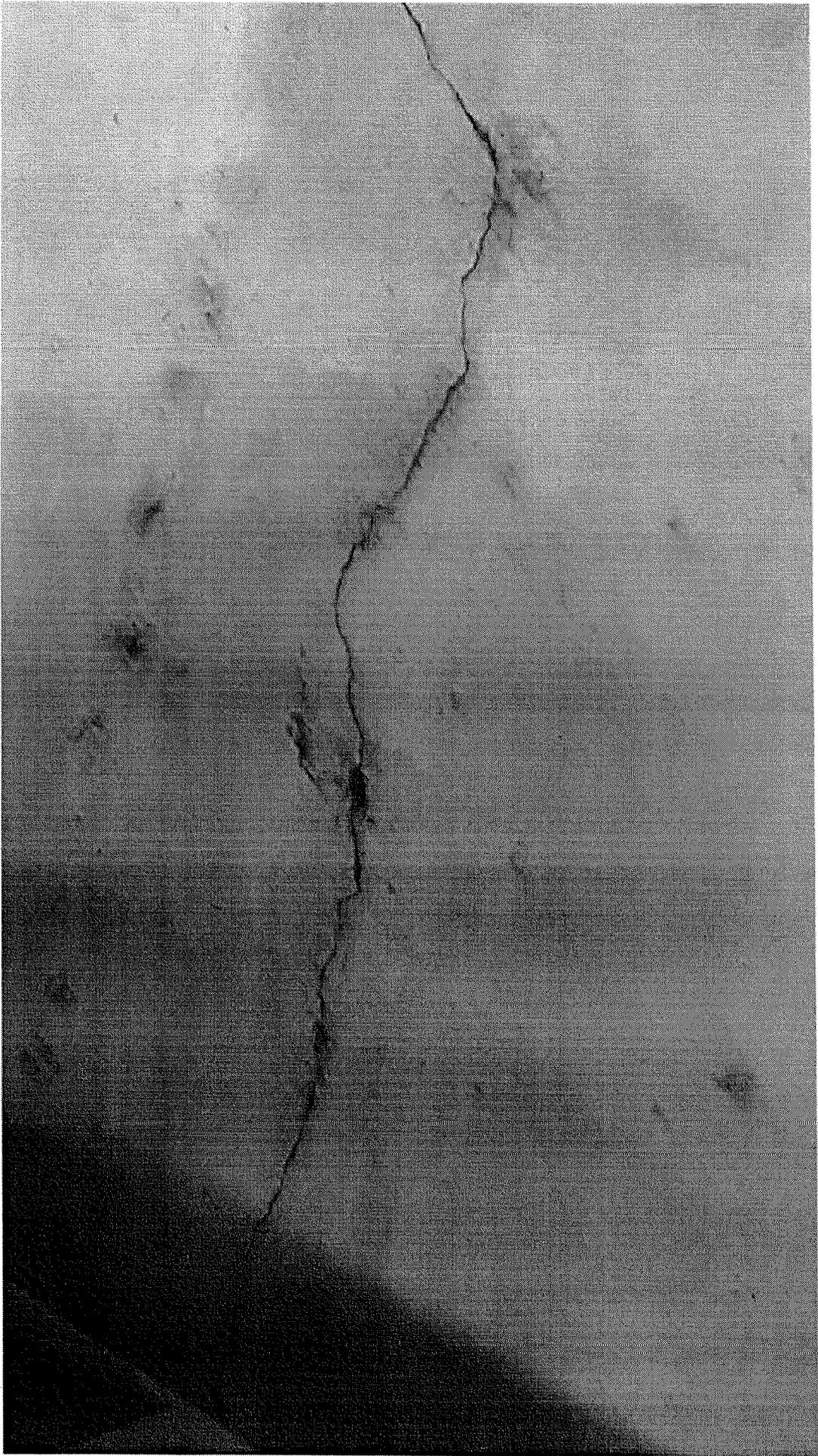








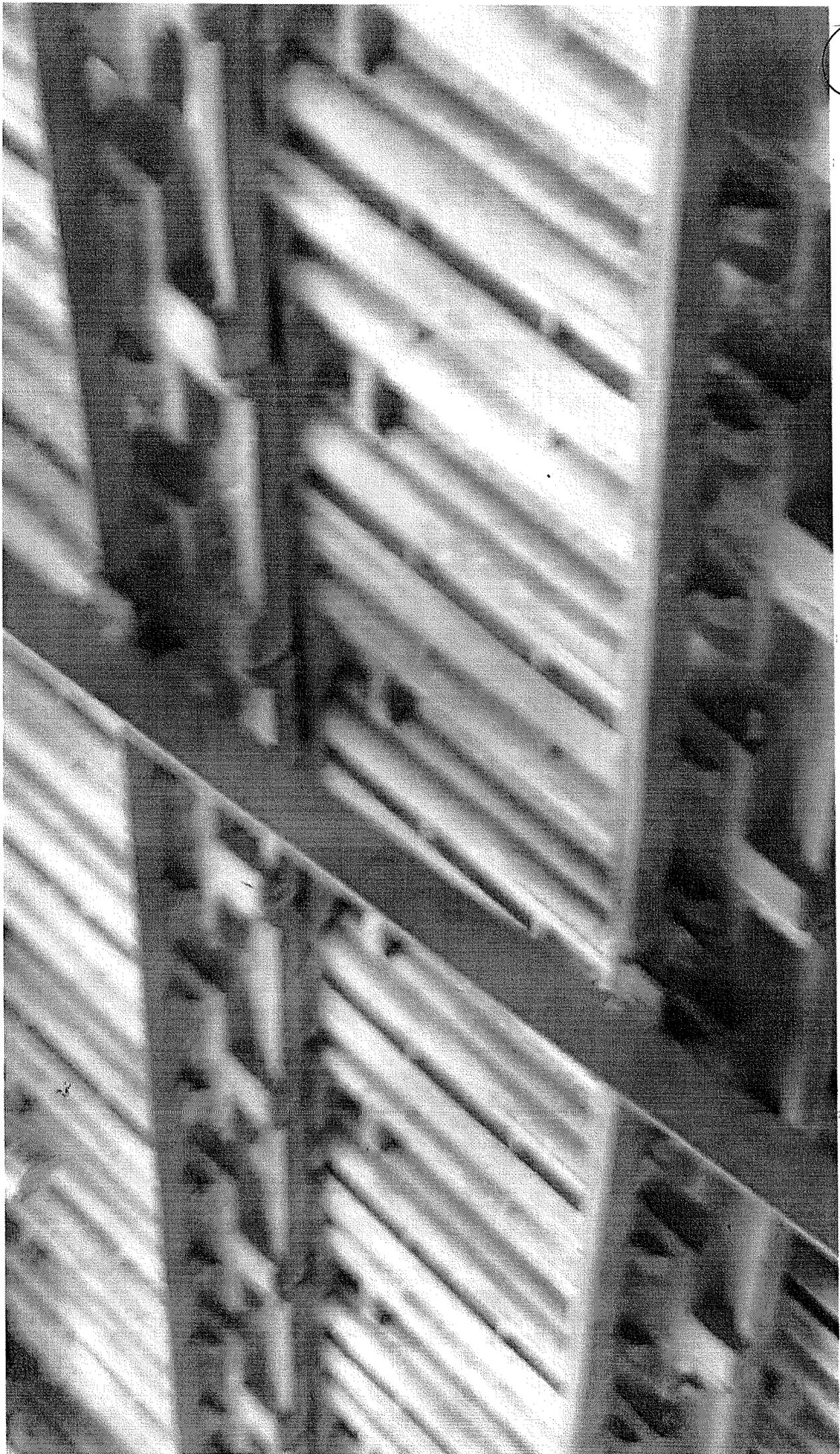
①



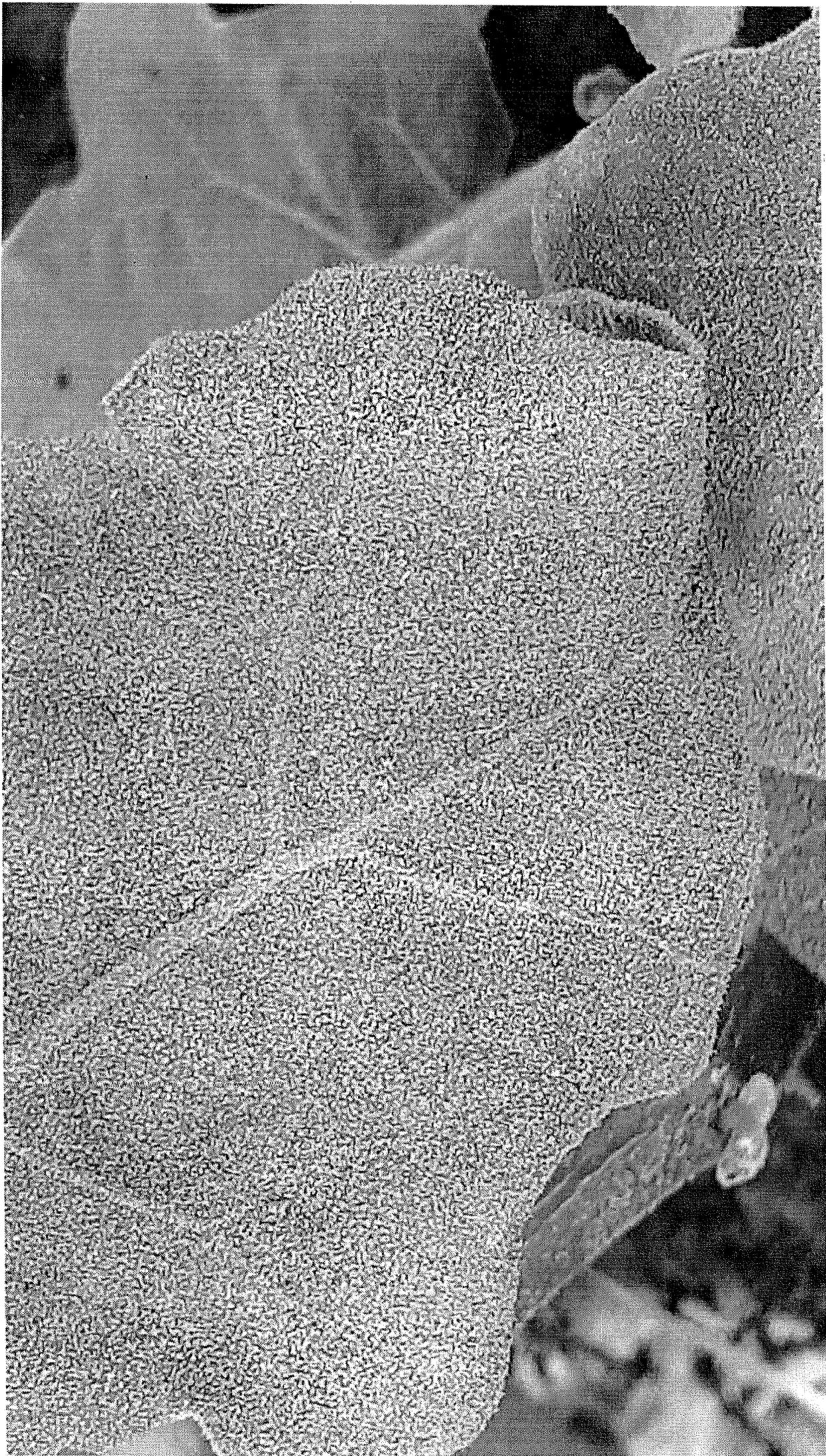
12

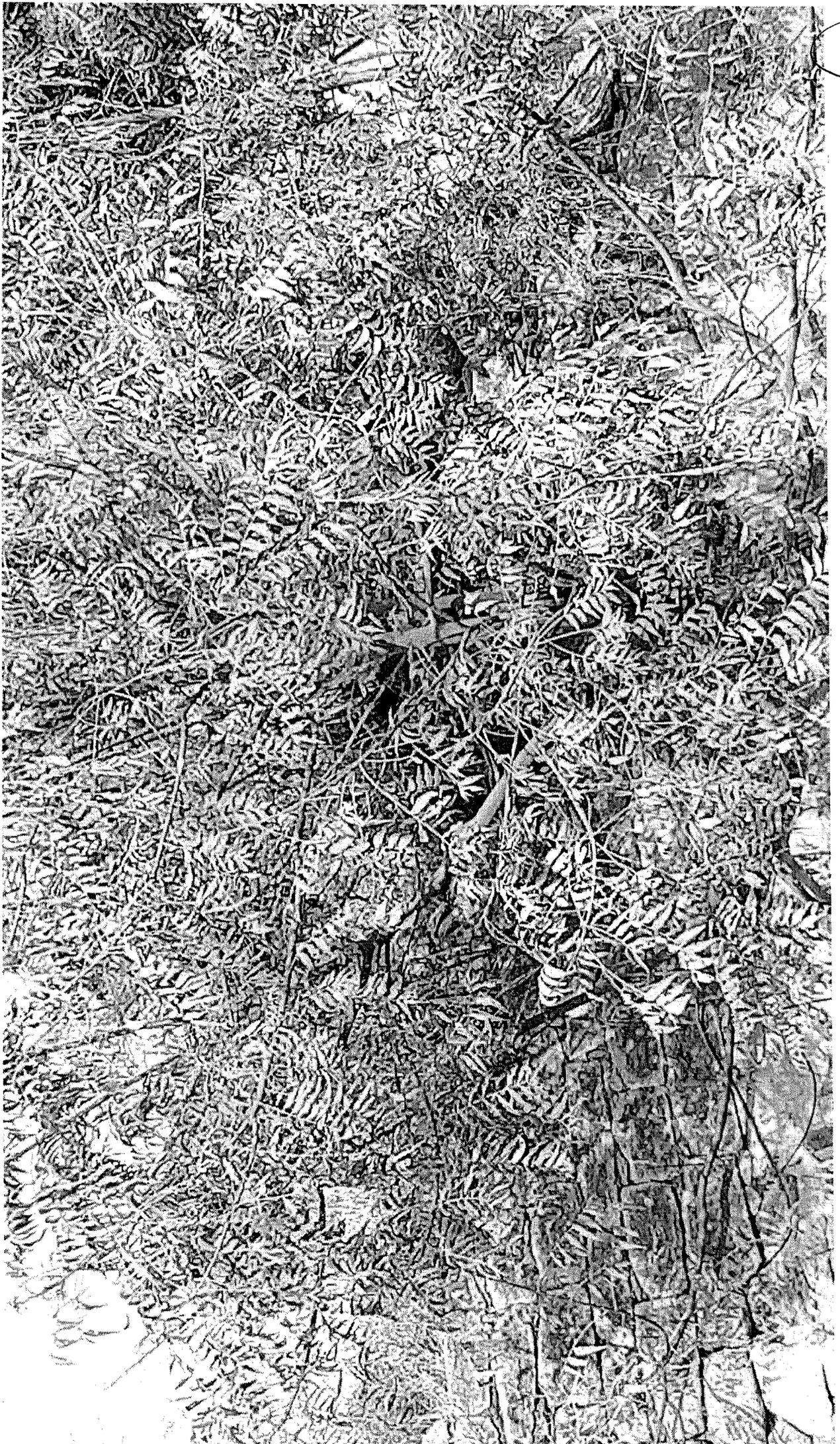


13



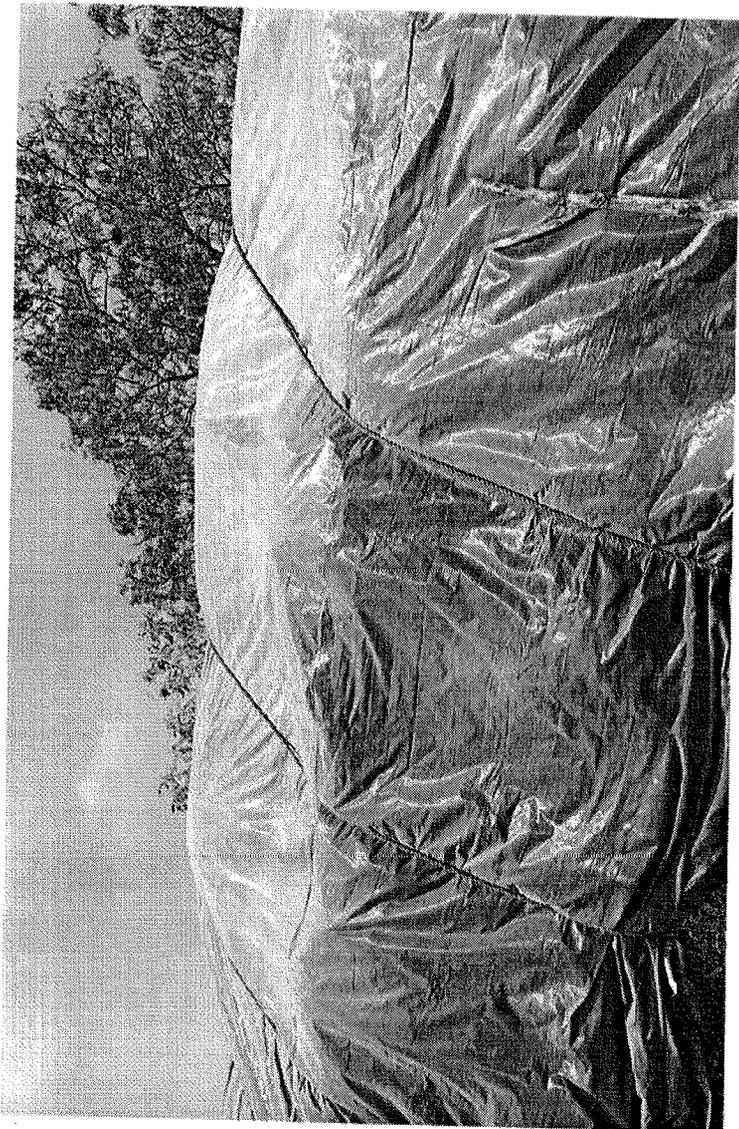
14

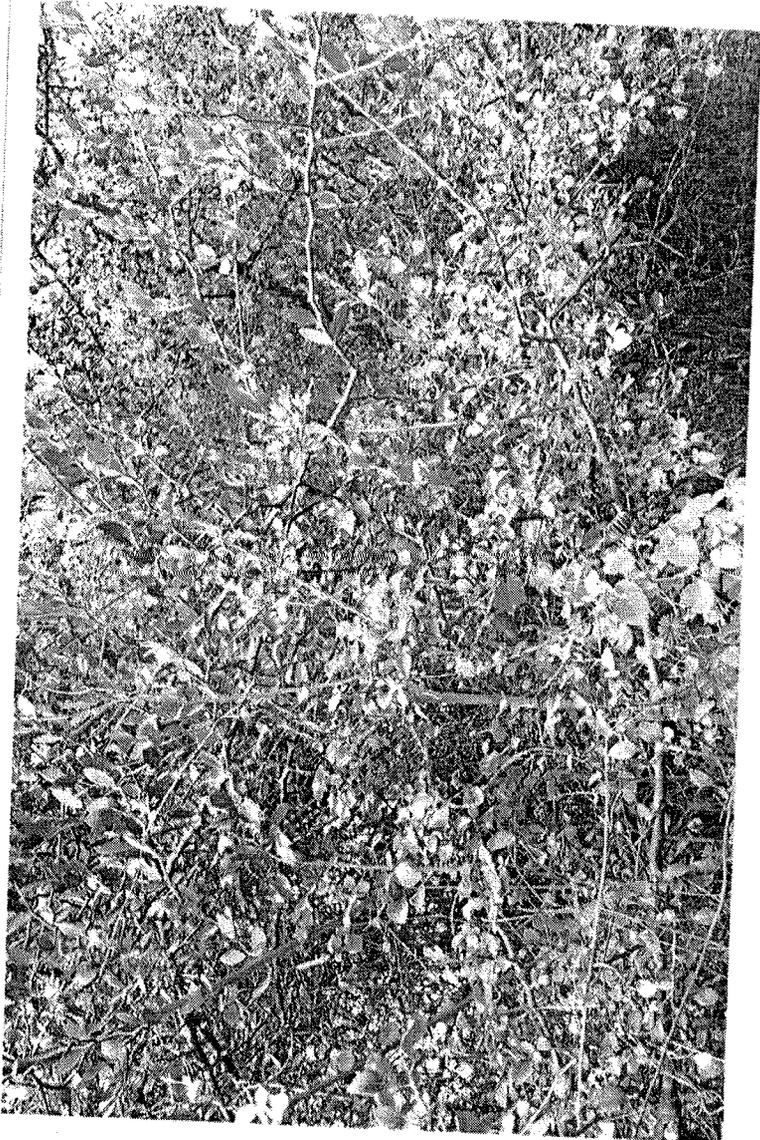




15

18







**IN THE NATIONAL GREEN  
TRIBUNAL, (SZ) CHENNAI**

Original Application  
No. 106 of 2021 (SZ)

BETWEEN

M. Kathirvel  
...Applicant

AND

Union of India  
Rep. by the secretary,  
Ministry of Environment, Forests &  
Climate Change, And 10 Others

...Respondent  
s

---

**OBJECTIONS FILED BY THE  
APPLICANT TO THE REPORTS  
FILED BY THE RESPONDENTS**

---

M/s. K.NAGENDRAPRASAD  
G.PRABHU  
T. JOHN ALEXANDER  
M. ARUN  
Counsel for Applicant

No. 6, Indian Chambers (SICCI),  
Annex Building, Espalande,  
Chennai – 108.  
Mobile: 94450 80455  
Email: arun\_advocate@outlook.com