

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTH ZONE AT  
CHENNAI**

**MEMORANDUM OF APPLICATION**

(Under Sections 14 read with 18(1) of the National Green Tribunal Act,  
2010)

Application No. 12 of 2021

Mass Empowerment and Guidance Association ....Applicant

Vs.

The Kayalpattinam Municipality

Rep by its Commissioner & Ors

... Respondents

**Affidavit filed by Mohamed Salihu**

I, Mr. Mohamed Salihu S/o M.I.Meerasahib, Secretary of the applicant association, having office at 2C, Thaika Street, Kayalpattinam, Thoothukudi District, now come down to Chennai, do solemnly affirm and sincerely state as follows:

1. The affidavits filed by the Municipality contain various averments, which are untrue, incorrect and irrelevant to the present issue and are not specifically responded to in this affidavit, I deny them as false and I reserve my right to respond to the same if necessary.
2. This application has been filed challenging the illegal MSW facility (compost yard), a concrete structure built by the Municipality in the inter-tidal zone. MSW facilities cannot be constructed inside the CRZ zone (500 meters from the High Tide line), much less in the inter-tidal area.
3. Pursuant to these proceedings, the Municipality has removed the shed (structure constructed with sheets) from the offending structure – but the concrete structure constructed, including foundation etc have not

**For MASS EMPOWERMENT AND GUIDANCE ASSOCIATION (MEGA)**

*(Mohamed Salihu)*  
**President / Secretary / Treasurer**

been removed. The structure illegally constructed now obstructs tidal flow and has to be removed completely. The municipality in its reply dated 31.03.2022, has stated that it will be removed after placing the subject before the Municipality council. However, such resolution is not necessary to remove an illegal structure constructed in utter violation of the law. Despite the elapse of more than 5 months since the affidavit, no steps have been taken to demolish and remove the illegal structure and to restore the site to its original condition. Present site photographs are annexed along with this affidavit.

4. It is therefore prayed that this Hon'ble Tribunal be pleased to direct the Respondents to forthwith demolish and remove the structure in its entirety and restore the area to its original condition.

**For MASS EMPOWERMENT AND GUIDANCE ASSOCIATION (MEGA)**

*(Malp Jain)*  
**President / Secretary / Treasurer**

Solemnly affirmed and signed  
 his name this the 24th day of August, 2022  
 at Chennai

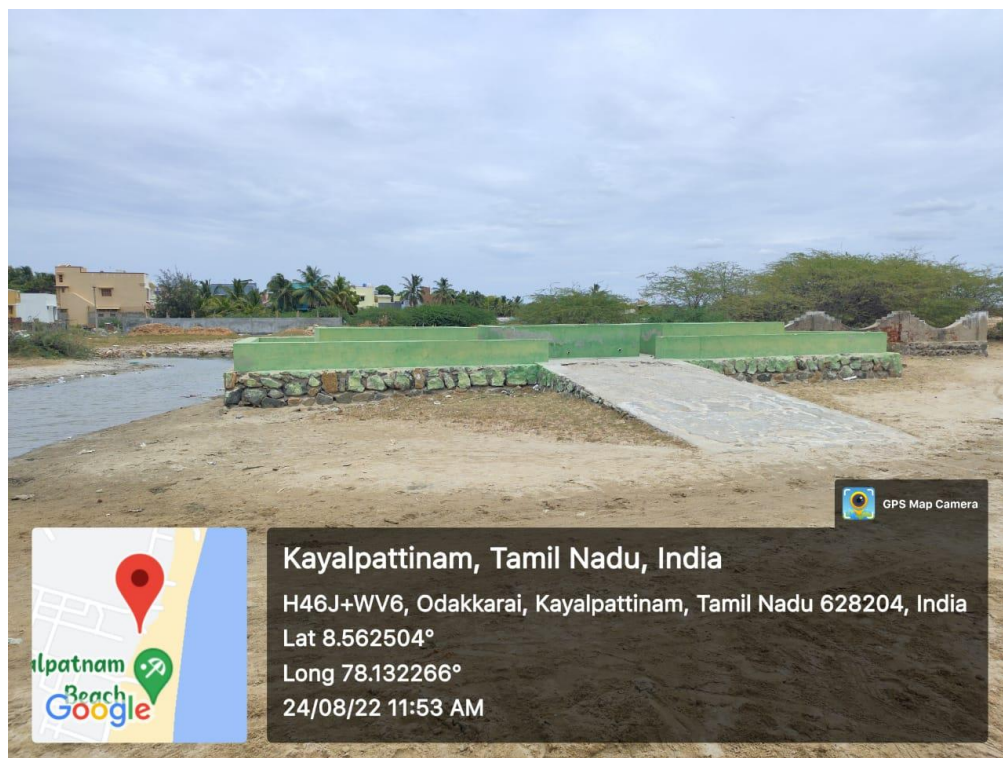
BEFORE ME  
 ADVOCATE : CHENNAI

*(Signature)*  
 4/2/2025  
 (K. N. Ramasubramanian)  
 #52 law chamber,  
 Madras HC

MICRO-COMPOST CENTRE CONSTRUCTED IN INTER-TIDAL  
ZONE, KAYALPATTINAM, THOOTHUKUDI DISTRICT  
24-8-2022



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