

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

Original Application No. 124 of 2023

Geetha Subramaniam,
Door No.6, Maruthai Avenue,
Ranjith Road, Kotturpuram,
Chennai - 600 085.
Mob No. 98418 62306.

...Applicant

Vs

The State of Tamil Nadu,
Rep. by Chief Secretary,
Public Department,
Fort St. George, Secretariat,
Chennai-600 009 & ors

...Respondents

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**Advocate
Thiru.S. Sai Sathya Jith,
Advocate, Chennai.**



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-Vs-

1. The State of Tamil Nadu,
Rep. by Chief Secretary,
Public Department,
Fort St. George, Secretariat,
Chennai-600 009.
2. The State of Tamil Nadu,
Rep. by Secretary,
Public Works Department,
Fort St. George, Secretariat,
Chennai-600 009.
3. The State of Tamil Nadu,
Rep. by Secretary,
Revenue Department,
Fort St. George, Secretariat,
Chennai-600 009.
4. The Chairperson,
Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy,
Chennai - 600 032.
5. The District Collector,
The district Collector Office,
Chennai - 600 001.


19/3/2024
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

6. The Commissioner of Land Administration,
Ezhilagam, Chepauk
Chennai - 600 005.
7. The Commissioner,
Corporation of Chennai,
Rippon Building, Chennai - 600 003.
8. The Revenue Divisional Officer (South)
Anna Salai, Guindy,
Chennai - 600032.
Email: rdoegmr_chn@gov.in
Mobile No: 9150042806
9. The Tahsildhar,
Guindy Taluk, 69/40 Anna Salai, Little Mount,
Guindy, Chennai – 600 032.
10. The Chief Engineer,
Public Works Department,
Water Resources Organisation,
Ezhilagam, Chepauk,
Chennai - 600 005.
11. Additional Director,
Survey and Land Records,
Survey House, Chepauk
Chennai - 600 005.
12. Engineer-in-Chief
PWD - Chepauk
Chennai - 600 005.
13. Assistant Commissioner of Police
J4 Kotturpuram Police Station,
Chennai – 600085.

...Respondents


19/12/2024
ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No.76, MOUNT SALAI, GUINDY,
CHENNAI-600 032.

**REPLY AFFIDAVIT FILED ON BEHALF OF THE FOURTH
RESPONDENT- TAMIL NADU POLLUTION CONTROL BOARD.**

I, R.Rajamanickam, S/o P.M.Ramasamy, aged about 59 years, having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby solemnly affirm and sincerely state as follows:-

1. I submit that, I am the Additional Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai – 600 032 and I am authorized to file this reply affidavit on behalf of the fourth respondent (TNPCB) and as such I am well acquainted with the facts of the case as per office records.
2. It is respectfully submitted that the petitioner has filed an application before the Hon'ble National Green Tribunal seeking a prayer-
 - (i) To the Chief Secretary, Govt. of Tamil Nadu and 12 others to direct the concerned officers to evict the illegal encroachments and to evacuate squatters on Adyar River Paromboke (nearby Maruthai Avenue, Ranjith Road, Kotturpuram, Chennai – 600 085) as per the G.O. (MS) No.540 Revenue department dated 4th December 2014 and directions by the Hon'ble Madras High Court in W.P. No. 13648 of 2016 and further to take steps to restore the water course poromboke land from illegal encroachment.
 - (ii) To declare that the illegal encroachments in Adyar River bank as illegal and unsustainable to environment.
 - (iii) To direct the respondent authorities (1) to (13) to monitor the area and ensure there are no further encroachments by squatters which will cause damage to the River bank and the Environment and
 - (iv) Pass such further or other orders as this Hon'ble Tribunal may deem fit and necessary in the interest of justice.
3. It is respectfully submitted that the site was inspected on 17.02.2024 by the TNPCB officials and it was noticed that petitioner's residence is


 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

surround by residential houses on Eastern Northern and Southern sides. On Western side, Adyar River Bank and river was located. Between Adyar river bank and petitioner's residence, there was a godown facility of area around 4000 to 5000 sft was found established. During the time of inspection, the godown utilized for commercial purpose was in locked condition.

4. It is respectfully submitted that the Tamil Nadu Pollution Control Board enforces the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. Issuing planning permission for constructions of godown and to take action for eviction of illegal encroachments are the subjects not coming under the purview of the Tamil Nadu Pollution Control Board.

In the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such 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.

R. Rajamanickam 19/3/2024
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.
DEPONENT

VERIFICATION

I, R.Rajamanickam, S/o P.M.Ramasamy, working as Additional Chief Environmental Engineer, having office at No.76, Mount Salai, Guindy, Chennai-600 032, do hereby verify that the contents of above reply are true to the best of my knowledge through records.

R. Rajamanickam 19/3/2024
 ADDITIONAL CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
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...Respondents

**REPLY AFFIDAVIT FILED ON
BEHALF OF THE FOURTH
RESPONDENT - TAMIL NADU
POLLUTION CONTROL BOARD**

**Advocate for Respondent : TNPCB
Thiru. S.Sai Sathya Jith,
Advocate, Chennai.**

Date:19.03.2024

Date of hearing on:20.03.2024

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