

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 126 of 2023 (SZ)**

**In the matter of:**

K. Saravanan,

Chennai and Anr

...Applicant(s)

Versus

The Tamil Nadu Coastal Zone Management Authority,

Chennai and others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel for Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

**Date: 11.05.2024**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Original Application No.126 of 2023(SZ)**

**In the matter of**

1. K. Saravanan,  
No, 30, UrurKuppam,  
Besant Nagar,  
Chennai – 600 090.
2. M. Yuvadeepam,  
B2, Ramaniyam Marvel,  
Seshadripuram,  
1<sup>st</sup> Main Road,  
Velachery,  
Chennai – 600 042.

**...Applicant(s)**

**Versus**

1. The Tamil Nadu Coastal Zone Management Authority,  
No, 1, Jeenis Road,  
Panagal Building,  
Ground Floor, Saidapet,  
Chennai – 600 015.
2. The Tami Nadu State Highways Department,  
CKICP Complex, HRS Campus,  
No.76, Sardar Petal Road,  
Guindy, Chennai – 600 015.
3. KNR Constructions Limited,  
SF No. 162/3A1, Kalyanapuram Village,  
Chetpet Taluk,  
Thiruvannamalai – 606 601.
4. The Additional Chief Secretary,  
Highways and Minor ports Department,  
Chennai.

**...Respondents(s)**

**REPORT FILED BY THE 2<sup>ND</sup> RESPONDENT ON BEHALF OF THE 4<sup>TH</sup> RESPONDENT OF THE ADDITIONAL CHIEF SECRETARY TO GOVERNMENT, HIGHWAYS AND MINOR PORTS DEPARTMENT, CHENNAI.**

I, Lakshminadhan, S/o Kasinathan, aged about 56 years, discharging duties as the Divisional Engineer(H), Chennai Kanyakumari Industrial Corridor Project, Vandavasi do hereby solemnly affirm and sincerely state as follows:

1. I am the 2<sup>nd</sup> Respondent herein, and as such I am well acquainted with the facts and circumstances of the case from the available records. I am filing this report on behalf of the 2<sup>nd</sup> and 4<sup>th</sup> Respondents, and I deny all the averments contained in the grounds of appeal excepting those that are specifically admitted herein and the Appellant is put to strict proof for the same.
2. The Applicants state that, they notice the work in progress on 27.08.2023 at the project site, and seeking for an injunction and other consequential relief such as demolishing and removal of existing embankment and restore to its Original state.
3. I respectfully submit that, the road project of Cheyyur – Vandavasi – Polur Road (SH-115) from Km 1/620 to Km 42/660 km..., including ECR link (ODR)Cheyyur-Panaiyur road from Km 0.000 to 47/720 to two land with paved shoulder and ... was commenced on 29.01.2021.
4. It is also submitted that, the above project is an upgrading and widening of an existing road, and is not a new project.
5. It is submitted that, it is seen for the measurement sheet, the ECR link crosses Odiyur Lake under CRZ which considered as Hot Spot. However, CRZ Clearance is not obtained for ECR link since there is no improvement of project road in the back water stretch.

6. It is submitted that, the funding for the said project was sanctioned by the Asian Development Bank, (ADB), and while the project was proposed to the said bank, for funding, the clauses did not include the CRZ Clearance for the project. So, Presuming that the all papers were given correctly, after the sanction the said project was began for its construction.

7. It is submitted that, the applicant has prayed the Hon'ble Tribunal direct the respondents, to construct a bridge on Odiyur lagoon to ensure tidal exchange and free flow of water with the strict compliance of CRZ Notification, 2011.

8. It the submitted that, the detailed technical report received from the Divisional Engineer(H),C&M, Chengalpattu for the construction of HLB in entire Lagoon area. He stated that a detailed Investigation and Survey conducted as per the traffic census across the Lagoon area during the year 2010 and mentioned that the following two ways for the construction of HLB in Lagoon area.

**One** is constructing HLB for entire Length of Lagoon i.e 900m and the cost comes 45 crores in 2010 itself. But it is indented to construct HLB where velocity of water is high. In this case water will stagnant and raise/low according to the tides of sea and doesn't have velocity. This Lagoon contain back water flow only, without velocity.

**Second** is constructing balancing culvert with approach road so as to maintain the water level both side, and the cost comes around Rs.3.30 crores which is suitable for the existing condition.

According to the above reasons suggested, necessary administrative approval has been obtained from the Government, and the two bridges at km 2/8 and km 3/2 were constructed at this location and completed in the year March 2014.

9. It is submitted that, the above two bridges located in lagoon area at Km 2/8 and 3/2 having a length of 40m each. These two bridges have been constructed with 4 spans of 8.40m each having a vent height of 3.60m. The distance between the two bridges having a length of 375 m only.

Moreover, the soil sample for the above two bridges have been tested and based on that the Pile foundation have been confirmed and built to withstand 50 years.

10. It is submitted that, the bridges Located at Km 2/8 and Km 3/2 were constructed with approach road is just 9 years ago and found in good condition, functioning, properly and offering smooth flow of traffic.
11. It is submitted that, during the Michaung cyclone the heavy rainfall was recorded at Cheyyur on 03.12.2023 and 04.12.2023 is 84.50 mm. During that time, there is no overflowing have been identified in between the area of the above (i.e 375m) two bridges. Necessary photographs taken during that time have been enclosed hear with.
12. It is hereby submitted that, there is one more minor bridge at Km 1/915 having a length of 14m with a vent height of 2.65m was constructed by this wing adjacent to the Lagoon area having a distance of 330m. The tidal exchanges were done through this bridges also.

Considering all the above aspects, I kindly submit that "constructing of HLB for entire Lagoon i.e 900m by dismantling the existing newly constructed bridges which are found in good contain is not warranted at present and will lead to loss to the Government exchange."

13. It is submitted that, the tribunal has expressed its mind, that there should be more vents to ensure the tidal exchange and free flow of water throughout the inter tidal zone viz., the CRZ-I B area (about 1 Km).
14. It was observed that, due to the uninterrupted flow of tidal exchanges through the two bridges located in CR Zone - I B area. It is hereby submitted that, as there is a need to provide additional vents at this location, necessary steps will be taken for the construction of additional vents in CRZ-I B area.

15. It is therefore prayed that this Hon'ble Tribunal may be pleased to accept the report on file and pass such further other orders which it deems fit to the case and thus render justice.

Date: 10.05.2024

  
Signature  
Divisional Engineer (H)  
With Seal:  
CKICP, Vandavasi.

**Verification**

I, Lakshminadhan, S/o, Kasinathan, aged 56 years, Divisional Engineer(H), Chennai Kanniya Kumari Industrial Corridor Project, Vandavasi, Solemnly affirm that the contents of this Report are true to the best of my knowledge based on the records and I have not suppressed any facts.

Date: 10.05.2024

  
Signature  
Divisional Engineer (H)  
With Seal:  
CKICP, Vandavasi.