

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), SITTING AT CHENNAI**

(Under Section 18(1) r/w S.14 & 15 of National Green Tribunal Act, 2010)

Original Application No.013 of 2024 (SZ)

Between:

Mr.S.Sivadas

Son of Sivakumar Kulasekar,

No.2, Periyapalayathamman Kilo West Street,

Basin Bridge, washermenpet, Chennai – 600 021

Mob:- 9176869284

Email Id:- [taarus@gmail.com](mailto:taarus@gmail.com)

...Applicant

-And-

The Ministry of Environment,

Forest and Climate Change,

Rep by its Secretary,

Indira Paryavaran Bhavan,

Jorbagh Road New Delhi – 110 003

Email – [mefcc@govin](mailto:mefcc@govin)

Ph No- +91-11-2301196

And 15 others

...Respondents

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VERIFICATION

The above are the true copies of the Original

  
Counsel for the 15<sup>th</sup> & 16<sup>th</sup> respondents

**BEFORE THE NATIONAL GREEN TRIBUNAL(SZ), SITTING AT CHENNAI**  
(Under Section 18(1) r/w S. 14 & 15 of National Green Tribunal Act, 2010)

**Original Application No. 013 of 2024 (SZ)**

Between:

S. Sivadas

Son of SivaKumar Kulasekar,

No.2, Periyapalayathamman Kilo West Street,

Basin Bridge, Washermenpet, Chennai- 600021.

Mob:- 9176869284

Email Id:- taours@gmail.com

... APPLICANT

- AND -

1.The Ministry of Environment,

Forest and Climate Change

Rep. by its Secretary,

Indira Paryavaran Bhavan

Jorbagh Road New Delhi - 110 003

Email- [mefcc@gov.in](mailto:mefcc@gov.in)

Ph No- +91-11-2301196

And 15 others

...RESPONDENTS

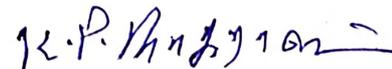
**COUNTER AFFIDAVIT WITH ENCLOSURES PRESENTED BY  
THE 15<sup>TH</sup> AND THE 16<sup>TH</sup> RESPONDENTS**

We K.P. Loganathan and P. Nagarajan, the 15<sup>th</sup> and the 16<sup>th</sup> Respondents herein do hereby most humbly submit as follows;

1. The 15<sup>th</sup> and the 16<sup>th</sup> Respondents herein are the joint owners of the lands in S. No. 195/4A(Pt.), 4B(Pt.), 4C(Pt.), 4D (Pt.) measuring about 1.17 Acres and joint owners of the lands in S. No. 211/1B1A measuring about 0.53 Acres. These lands had been purchased by us vide document number 43/1990 and 1143/1990 duly registered at SRO Marakkanam.
2. The Respondents herein are not environment aggressors but primarily the Respondents herein are landowners, senior citizens, patients being one of



K.P. Loganathan (R15)



P. Nagarajan (R16)

the several victims of the illegal project named Bhinaya Beach and Bhavishya Beach.

3. The 15<sup>th</sup> Respondent is a BP, diabetes, and heart patient, while the 16<sup>th</sup> Respondent is suffering from Stage-4 Parkinsons disease and both are living a life soaked in physical pain and mental agony not only because of their ill-health but also because of the unbearable trauma and unimaginable harassment caused by the acts of M/s. Manju Foundations Private Limited.
4. That the Respondent Promoter & real estate agent, M/s. Manju Foundations Private Limited and in general has no regard for rule of law and contrary to the blind allegations of the Applicant based on assumptions, we are no way connected to the builder who is developing his illegal project at the impugned site.
5. It is admitted that originally the Respondents herein had entered into an agreement dated 16.04.2015 with the 11<sup>th</sup> Respondent for the outright sale of their lands stated above and received a sum of Rs. 50,000/- as advance while the sale consideration was fixed at Rs. 9,50,20,000/- for 1.70 Acres at Rs. 56,000/- per cent.
6. It is submitted that Manju Foundations represented by Mr. Balaji had paid a sum of Rs. 5,00,000/- towards additional sale consideration and had paid a total sum of Rs. 5,50,000/-, while so it had already encroached on the Respondent 15 and 16's Private Property and converted it into an unapproved and illegal layout by unilaterally leveling the sand dunes, while very well as a builder that the subject area itself is eco sensitive.

H.P. Loganathan  
H.P. Loganathan

Thus, having lost our property, we have become the victims of these powerful groups we had become helpless landowners, being treated as beggars, and suppressed and threatened when questioned

7. Originally, paying the token amount, while promising to purchase the lands, behind the Respondent's back, forcibly, without consent, without any authority by an act of aggression and encroachment, layout road and plots have been formed by Manju Foundations over the Respondents' lands while developing its sea Shore housing project named "Bhinaya Beach", "Bhavishya Beach", "Barsha Beach" and "Bhavita Beach" which is now rebranded as a part of its 180 Acre illegal Project called "Bluespot".

Thus, our lands have been forcibly made a part of this Project to enable the builder get ECR road to seashore while it started its promotion in the year 2015 in an offensive manner without these Respondents consent or knowledge.

8. The lands in S. No. 192 which is classified as government communal land, was also encroached upon for forming a 60 feet layout road by destroying the bund of sand which was naturally formed over it.

A perusal of the master plan of the layouts would fortify the contention of the Petitioners that the communal lands in S. No. 192 (Part) and the Petitioners lands were indeed encroached upon.

9. Further to provide a clear access from road to sea, M/s. Pedro developers Private Limited, Kaleen Developers Private Limited and Metis Developers Private Limited being companies Part of the concern named Vatika Group, represented by Gourav Bhalla, had provided their lands in S. No. 174, 194 and 211/6 for assisting the builder in getting unfettered ECR road to sea shore access for the layout project.

*M. P. Lagunum*

*M. P. Lagunum*

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It is for this reason; these companies are co-accused with the 11<sup>th</sup> Respondent.

Therefore, based on personal knowledge, it is submitted that by encroaching on private and government lands, these layouts have been formed having access from road to sea with tacit support of all the officials who have not just turned a blind eye to these acts but also ably supported the builder in carrying out its activities and have been advising and demanding us to not to fight Manju Groups despite being land losers.

10. Since the lands were grabbed and not purchased by the Respondent builder, the victimized Respondents in deep suffering, with the intention to sell the lands to a third party, preferred to enter into an agreement with one Mr. Dinesh N Surana, S/o. N K Surana, having office at, 72, Harleys Road, Kilpauk, Chennai-10 who is another landowner and victim of the builder, like myself and others.

11. It is submitted that we decided to sell our valuable lands as Vacant coastal lands by not recognizing the encroachments (i.e. the illegal layout developments over our lands), however since, there occurred a issue with the Purchaser Mr. Surana which resulted in filing of a suit for specific performance of agreement by the Purchaser and the suit was finally disposed of under a compromise recorded before the Hon'ble PSJ at Thindivanam in O.S. No. 211 and 213 of 2022, however the lands are not yet registered in the name of Mr. Dinesh N Surana/ his nominee.

According to the agreed terms of the voluntary Compromise, the Respondents will have to register the sale deed in favor of Mr. Dinesh N Surana /his nominees.

K. D. Loganathan

R. P. Narayana

11th

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In view of the above, with the ulterior motive to harass the Respondents, the builder has preferred a suit for specific performance of the agreement dated 16.04.2015 in O.s. No. 345/2022 before PDJ, Villupuram by falsely claiming that the subject lands are "*Vacant Lands*" in our possession and by forging the signatures of the Respondents herein and by making false pleadings and inventing cause of action. Thus, the builder namely Manju Foundations Private Limited is guilty of perjury and contempt of Court. The Respondents herein have filed appropriate written statement in the said blackmail suit which has been filed with the intention to unsettle settled position by forging the signatures of the Respondents herein and the Respondents have also filed various applications whose copy are enclosed to this Counter.

12. The Respondents have also filed a complaint in R.C.P. No. 01/2024 before the Regulatory Authority, TNRERA, a copy of the same is enclosed to this Counter. The said matter was listed on 04.04.2024 when the authority was pleased to grant an interim stay on the promotion of the said projects "Bhinaya Beach and others" by showing the Respondent's lands as a part of its project.

13. Our struggles apart, the layout project named Bhinaya Beach and others (formed by an act of encroachment over public and private lands) continues to stand in violation of CRZ norms, DTCP norms and Environment Protection act 1986, hence originally the Executive officer, Marakkanam Town Panchayat had issued notices dated 29.10.2015 and 11.01.2016 addressed to M/s. Manju Foundations Private Limited regarding the illegal developments made by the said company without obtaining CRZ clearance and DTCP approval over various Survey Numbers including on the lands of the Respondents in S. No. 195/4A(Pt), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.) and 211/1B1A(Pt.) admeasuring about 1.70 Acres, situated in Marakkanam North Village, Marakkanam Taluk, Villupuram District belonging to the Respondents herein.

\* K.P. Loganathan

K.P. Loganathan

14. In fact, the lands of the Respondents in S. No. 211/1B1A measuring about 53 cents have been fraudulently converted into a layout and partly sold by M/s. Manju Foundations Private Limited in connivance with M/s. Pedro Developers Private Limited.

15. In view of the compromise, the first petitioner/ Complainant herein, the 2nd and 3rd Petitioners/ Complainants are the absolute owners of the remaining lands in New S.No.211/1B1A measuring about 53 Cents and in S. No. 195/4B(Pt) and 4D (Pt) admeasuring about 18.5 Cents, which also the 2 and 3 Petitioners/ Complainants have agreed to sell to Mr. Dinesh Surana, (1st petitioner) S/o. NK Surana, at. 72, Harleys Road, Chennai – 10.

16. The Respondents after cancelling the agreement, planned to register and convey the lands in S. No. 211/1B1A to Mr. Dinesh Surana as agreed with him. While planning for registration of lands in S. No. 211/1B1A in favor of Mr. Dinesh Surana, the Respondents herein have realized that their lands have not only been converted into illegal layouts by suppressing and threatening us and by forced consent, it was also learnt that plots had been fraudulently registered in part of the lands in S No. 211 / 1B1A.

17. Originally out of the total extent of 3.12 Acres, as per document

- (a) 53 cents belonged to Mr. Vinayagamoorthy (48 Cents as per enjoyment).
- (b) 53 cents belonged to Mr. Gopi (48 Cents as per enjoyment).
- (c) 1.06 Acres belonged to Mr. Muthukumaran and others
- (d) 53 Cents belonged to Mr. Sankaralingam
- (e) 53 cents belonged to Mr. Bhaskar (50 Cents as per enjoyment).

18. Mr. Sankaralingam had sold his 53 cents to us and put us in possession of their lands. The Remainder of the land's vests with Mr. Muthukumaran others. Thus, what remains is only about 1.5 Acres of land (as per document).

K. P. Sankaralingam  
K. P. Sankaralingam



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In fact, illegally without application by us and other bona fide landowners, guideline value has been fixed from 10 Lakhs per acre to Rs. 300 per square feet for the lands in S. No. 211/1b. Despite the same, the Inspector of police unilaterally without enquiring us under a criminal conspiracy, closed our complaint as a mistake of fact. Hence we have preferred a comprehensive protest petition among other reliefs.

20. It is most painfully submitted that we are fisherman and illiterate persons belonging to financially weaker section and senior citizens who are incapable of fighting the fraudulent promoter company and its accomplices which are corporate frauds, the question of conniving with them does not arise.

21. In fact, when we questioned the builder, he prefers to use henchmen, local rowdy's like Mr. Karnan, local police and local councilors and politicians and others to suppress us. He has also preferred various police complaints against us and persons assisting us namely Mr. Surana.

22. It is submitted that it is only recently we had obtained knowledge of the above referred notices dated 29.10.2015 and 11.01.2016 issued by the Executive Officer, Marakkanam Town Panchayat.

Based on the knowledge of the same, we had issued a reply letter dated 10.11.2022 to the Executive officer, Marakkanam Town Panchayat, seeking to comply with his own notice dated 29.10.2015 and 11.01.2016 regarding the illegal developments over our lands and unconditionally accepted removal of the illegal developments made over our lands.

23. It was learnt that the notices were issued as the layout was developed without obtaining planning permission and technical approval as per G.O.M.s No. 134, Municipal Administration and Water Supply Department dated 20.09.2002 and also as the project lands falling within 200 meters of

K. P. Loganathan  
K. P. R. 1/1/77

no development zone and within 500 meters of the coastal Regulation Zone and no permission was obtained from Coastal Regulation Zone Management Authority and also on account of violations of section 47(A) of the Town and Country Planning Act 1971.

24. It is learnt that Form-I notice under section 56 and 57 of the Town and Country Planning Act 1971 has already been served on the Respondent on 18.05.2016, thus the layout project is alien to law.

25. It is learnt that the Assistant Director of Town and Country Planning, Villupuram Region sent a communication vide Na.Ka. No.161/2016/VR/ dated 01.06.2016 to the Executive Officer to remove the layout stones erected in the unauthorized layout and to remove the A/C sheet roofs built in the subject lands in accordance with G.O. No. 289 Housing and Urban Development Department dated 16.12.2010 and section 56 and 57 of the Town and Country Planning Act 1971.

26. It is seen that the Executive Officer issued a notice dated 04.07.2016 to the Respondent herein under section 56 and 57 of the Town and Country Planning Act 1971 and Tamil Nadu District Municipalities Act 1920 to remove the layout stones erected in the unauthorized layout and to remove the AC Sheet built in the subject land without obtaining permission from the competent Authorities.

27. Having recently learnt about the above development, we preferred a Petition dated 10.11.2022 before the Executive Officer, Marakkanam Town Panchayat confirming to comply with the above stated notices as the Respondents herein was the owner of part of the lands over which part of the illegal layout was formed after the illegal flattening of the sand dunes on our private lands.

< K.P. Loganathan

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28. Since the Respondents herein attempted to remove the unlawful developments over our private lands on 4<sup>th</sup> Jan 2023, we were prevented by the Respondent builder from entering the lands.

29. The Respondents herein also approached the Executive officer for removal of the layout developments, he was totally openly supporting the Respondent builder and refused to remove the unauthorized developments from the Respondents herein lands and other lands, which was demanded by the Executive Officer as per his own notice dated 29.10.2015 and 04.07.2016.

In fact, on 20.09.2023 the Executive Officer was negotiating on behalf of the Private Respondent that the lands of the Respondents herein cannot be used as road for the benefit of the plot purchasers, while the Respondents herein can keep the Plots or take square feet rate upon settlement, while this being the sad state of affairs, the Applicant has filed this application without knowledge of these facts and has made unfortunate allegations against us.

30. The Respondents are advised to submit that in the suit for specific performance in O.S. No. 345/2022, the Respondent builder has averred that the lands under the agreement with us are "Vacant Lands" in our possession, thus neither the Respondent builder nor purchasers under him can claim any road and plot over the Respondents lands as per the *Doctrine of Election*. The Respondent cannot approbate and reprobate at the same time.

31. The Respondent builder can no longer claim any illegal right over our lands and the ongoing layout projects is an act of fraud and are incomplete and cannot be completed for being fraudulent projects.

K.P. Senthil  
K.P. Anandan

32. Further, now again the fraudulent plot purchasers under the Respondent are harassing us for access, demanding that the lands of the Respondents herein be treated as access roads as illegally committed by the Respondent without any authority. Hence we preferred a Complaint relying on the admission of the Respondent builder in O.S. No. 345/2022, where the Respondent has categorically stated that the Respondent's lands are Vacant lands and not layout and the possession of the lands in S. No. 211/1 and 195/4 is with the Respondents herein.

*In view of the admission, the Respondents herein have taken possession of the lands in as-is- condition with the existing roads and plots and fencing stones and have also filed an injunction application in the suit in O.S. No. 345/2022, wherein the Respondent has neither denied the possession of the Respondents herein nor claimed any layout development over the Respondents herein lands and has repeatedly pleaded that the lands are vacant lands. This position will also bind the Purchasers under the Respondent also.*

33. In view of the above, we have also preferred a complaint before the Adjudicating Authority, TNRERA in C. No. 01/2024 which is pending disposal. Without personal knowledge of these facts, the Applicant claiming to be an environment enthusiast has blindfoldedly used his pen as a Ak-47 to shoot down facts and portray these Respondents are partners in crime.

34. It is also pertinent to submit that despite our honest representation dated 10.11.2022 the Executive Officer, preferred not to take any action. Hence, we preferred a petition dated 27.12.2022 before the Housing Secretary, The Director, DTCP and the Deputy Director, DTCP, however, till today no action has been taken by these authorities also.

K.P. Loganathan  
K.P. Loganathan

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35. When we visited the office of the Deputy Director, DTCP, Villupuram on 04.01.2023, we were badly received and ill-treated and there was no response forthcoming. All these clearly amount to dereliction of duty.

36. We are senior citizens and reserve our valuable rights to deal with our lands in a manner desired by us, however we are being arm twisted and harassed by M/s. Manju Foundations Private Limited and its office bearers who are preventing us from entering our lands by restricting access through the large gate installed by it over the 60' approach road in S. No. 181/5B3 & by controlling the public road as private drive way by installing large gates, security cabins, illegal entrance arch, security guards, CCTV cameras and its Logo over public property.

37. The Respondent builder has no right to monitor public movement and restrict public access over public properties. By restricting access to the layout, builder through its persons and government officials is coolly indulging in various acts of CRZ violations at the sea shore including indulging in the alleged development.

Since the Respondents herein own lands and reserve their right to access to the same, the Respondents herein preferred a petition dated 28.12.2022 for removal of encroachment over public road in S. No. 181/5B3 and for access through the same. However, all the government officers are silent when it comes to matters relating to M/s. Manju Foundations as they are well taken care of by the Respondent builder.

38. At the risk of repetition, it is asserted that the Respondents herein have never consented for formation of any layout over their coastal lands which fall within CRZ-I and no development zone, in fact when the Respondents resisted the illegal developments, the Respondents were suppressed and put in place.

K.P. Loganathan  
K.P. Loganathan



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41. The Respondents herein have also called upon M/s. Manju Foundations Private Limited represented by Mr. Vidhya Sagar to pay a sum of Rs. 1,00,00,000/- (Rupees One Crore) as compensation for victimizing us, for the harassment and loss caused to us, for making the illegal developments on our lands for unlawfully enriching itself at our cost, however till today there has been no response.
42. The Respondents herein are the owners of the lands in S. No. 211/1B1A measuring about 53 cents and own part of the lands in S. No. 195/4, hence we reserve our right to access to our site from public roads and layout roads. The Respondent builder is not justified in treating a public road in S. No. 181/5B3 as private driveway, it has no right to prevent us and public from accessing public roads by blocking the entrance by installing gates and CCTV cameras. The Respondent company cannot be allowed to run a parallel government.
43. The 11<sup>th</sup> Respondent company has no right to encroach public properties, which is the only means of access to the site of the Respondents herein. Thus, the attempt to block the use of public pathway is only an act of land grabbing.

The Respondent company has also caused various encroachments at the sea shore and altered the physical features of the site at sea shore by installing jogging track, leveling the lands, and also constructing groynes over lands which also belongs to the government and making illegal developments within 200 meters of No development zone, these acts are ably supported by the Executive Officer and Thasildar Marakkanam which can be seen from the silence of the Executive officer and from the back dated and illegal order of the Thasildar in Na.Ka. No.2142/2022. The copy of the same is enclosed to this counter.

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12.12.2022

44. In view of the above, Writ Petition bearing No.13992 of 2023 was filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the fourth respondent therein to remove the entire encroachment made by the 12th respondent therein over the 60 feet public road in S.No.181/5B3 (Pt) of Marakkanam North Village, Marakkanam Taluk, Villupuram District to enable us and the general public to have unfettered access to the coastline, within a time frame fixed by this Court and direct the 10th respondent therein to remove the illegal developments over our lands in S.No.195/4A(Pt), 4B(Pt), 4D(Pt) and in S.No.211/1B1A admeasuring about 1.70 acres in Marakkanam North Village, Marakkanam Taluk, Villupuram District as per their own notice dated 29.10.2015 and 11.01.2016.

45. In the said proceedings, the learned special government pleader submitted that there are various gift deeds executed about the road. The survey and measurement would be carried out and if encroachment is found, then action in accordance would be undertaken by the concerned authority.

Thus, in view of the undertaking given by the Respondents through the special government pleader, the Hon'ble Madras High Court vide its Order dated 07/07/2023 in W.P.No.13992 of 2023 disposed the writ petition stating no further orders were necessary in view of the statement given.

Thus, the authorities 1 to 3 who have a duty to protect government interest over public property and responsibility to act in public interest and act as per the statement/ undertaking given to this Hon'ble Court in W.P. No. 13992/2023.

46. These authorities had misled this Hon'ble court in urging this Hon'ble Court in disposing the matter by virtue of a false statement, assurance and undertaking given. Thus, the assertion of removing the encroachment was given with the intention to divert the issue and defeat the cause of public interest and serve the interest of the encroacher.

K.P. Loganathan  
K.P. Loganathan

47. Based on the same orders for removal of encroachment over lands in S. No. 181/5B3 were passed by the Hon'ble Madras High Court in the said Writ Petition and consequently due to inaction we have preferred a contempt petition which is yet to be numbered, while it has been speculated that the encroachments have been by Manju Foundations at the request of the Highways Department as a part of the widening of the ECR road and now the builder has started reconstruction of the gate and arch to prevent public access. Hence the contempt petition is maintainable even as on date. The copy of the Petition is filed with this Counter.

The contempt petition against the present District Collector, Thasildar Marakkanam and Executive officer, Marakkanam is maintainable even as on date and they are personally guilty of enabling grabbing of government lands by the 11<sup>th</sup> Respondent.

48. Thus, contrary to the allegations of the applicant, we have no legal, moral or any other fruitful role in the acts of the 11<sup>th</sup> Respondent who is partnered with Mr. Gourav Bhalla of the Vatika Group and various government officials who are their accomplice in crime, obviously for unlawful enrichment. We do not wish to enrich ourselves at the cost of the environment and do not wish to be seen as environment criminals at the last stage of our lives.

49. In view of the position taken by the 11<sup>th</sup> Respondent in the suit in O.S. No. 345/2022, that we have to deliver vacant possession of the lands under the time barred agreement, we are entitled to remove the illegal developments and there is a definite cause of action for removal of illegal developments in a lawful manner, without objection from the 11<sup>th</sup> Respondent and accordingly we will remove the same at the earliest, in the event there is an order of specific performance granted by the Hon'ble ADJ, Thindivanam in O.S. No. 345/2022 in favor of M/s. Manju Foundations Private Limited, we will deliver vacant possession of the same to it as sought by it, until then

12.7.2022

12.7.2022

as criminal and a claimant under a time barred and manipulated agreement, it has no say on how we deal with our lands.

50. The Respondents have undertaken the above painful exercise to prove with evidences enclosed herewith, to clarify that the Respondents herein are not connected with Manju Foundations Private Limited and the other private Respondents and their illegal acts in destroying the sand dunes which were present in the entire 180 Acre site as can be seen from the CZMP 2018 Map also.

51. It is these companies and the government officials and councilors who have the actual role while we are innocents who have been contemplating filing a separate application before this Hon'ble Tribunal in view of the plaint filed by the builder stating that the character of our lands were vacant lands as it has given us a new cause of action.

We have here with convincingly establish that the allegations and the relief sought against us are not sustainable in law and facts and it is the builder namely Manju Foundations that has acted in connivance with other Private Respondents and government officials and has made developments *in violation of the land use* and the CRZ laws and against property rights of various persons including the Respondents herein. Hence the allegations against us in unsustainable in law.

52. It is pertinent to submit that the Respondents herein and one Mr. Dinesh Surana, victim of the acts of the 11<sup>th</sup> Respondent and have filed a FIR No. 561/2023 based on court Direction for the acts of the 11<sup>th</sup> Respondent and its accomplice, which was closed as mistake of fact by the Inspector of Police, Marakkanam and hence we have preferred a protest petition before the Judicial Magistrate-II, Thindivanam.

K. P. Sundararaman

K. P. Sundararaman

53. While so, the 11<sup>th</sup> Respondent in its proceedings before the Thasildar in Na.Ka. No.2142/2022 has stated that layout approval application for the projects named Bhinaya beach and others are pending since 22.12.2015 and has already taken full responsibility of its illegal project.

54. We clarify that we are not a signatory to any such application for any environmental clearance or layout approval nor have we given any authority to any person to seek any approval concerning our lands.

Under the above circumstances, with the sole intention to fortify our bona fide, it is submitted that in case any specific direction is granted about the lands owned by the Respondents 15 and 16 herein in S. No. 211/1B1A and 195/4A,4B,4C,4D(Pt.) of Marakkanam North Village, totally admeasuring about 1.70 Acres the Respondents herein undertake to abide by any of the orders of this Hon'ble Tribunal and herewith give an undertaking to restore the Respondents site to its original condition and undertake not to make any development or participate in any development which is made/ proposed to be made in violation of CRZ laws and Environment Protection Act 1986.

It is admitted there have been large scale violations, however, contrary to the pleadings in the application, the Respondents herein are no way connected with the illegal developments and violations and shall not be made accountable for them.

Having outrightly established the contentions of the Respondent herein with documentary evidences, the 15<sup>th</sup> and the 16<sup>th</sup> Respondents herein pray that this Hon'ble Tribunal may be pleased to not direct any costs on the Respondents for environmental damages, for violations not caused by the 11<sup>th</sup> to the 14<sup>th</sup> Respondents herein as enumerated above and in the interest of justice ensure that the Respondents herein are not revictimized

1d-12-2022  
J.P. Thasildar

with imposition of environmental damages for the unlawful and greedy acts of the Respondent builder and its associates and thus pass further orders as per law and thus, render Justice.



*[Handwritten signature]*

COUNSEL FOR THE RESPONDENTS 15 AND 16

*[Handwritten signature]*  
K.P. Loganathan

*[Handwritten signature]*  
P. Nagarajan

RESPONDENTS 15 AND 16

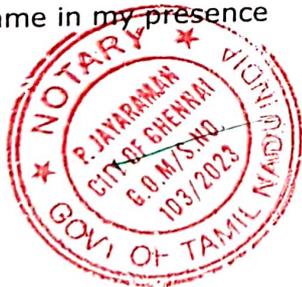
**VERIFICATION**

We, K.P. Loganathan and P. Nagarajan, Sons of Late Ponnuranga Gounder, being the Respondents 15 and 16 herein, do hereby state that the contents of the above counter in the above paragraphs 1 to 54 are true and correct to the best of our knowledge and that no material has been concealed there from, we confirm that the contents have been read over and explained to us in Tamil.

Dated on this the 16<sup>th</sup> Day of April, 2024

*[Handwritten signature]*  
*[Handwritten signature]*

Solemnly affirmed on this the 18<sup>th</sup> day of April, 2024 and signed their name in my presence



BEFORE ME  
*[Handwritten signature]*  
No. 7 Law Chambers, High Court  
Building, Chennai - 600 004  
Advocate

*[Handwritten signature]*  
23/4/2024

**P. JAYARAMAN, B.A., B.L.**  
**ADVOCATE & NOTARY PUBLIC**  
**EGMORE COURT ADVOCATES**  
**ASSOCIATION, CH-600 008**  
Tel: 94440 41605





23562  
 8.7.2015  
 K.P. Loganathan  
 K.P. Nagarajan

17AB 382527  
 [Signature]

**RECEIPT**

On this 21<sup>st</sup> day of July 2015 We 1.Mr.K.P.Nagarajan  
 2.Mr.K.P.Loganathan both son of Late Ponnurangam Chèttiyar, residing at  
 Madura KaippaniKuppam, Marakkanam, Tindivanam Taluk, Villupuram  
 District have received a cheque today each Rs.2,50,000/ (Rupees Two Lakhs  
 Fifty Thousand Only) towards part sale price for their sale Property  
 Comprised in S.No.195/4 and 211/1 total measuring Acre 1.70 Cents,  
 situated at Marakkanam North Village, Tindivanam Taluk, Villupuram  
 District from M/s. Manju Foundation Pvt. Ltd., having Office at No.39,  
 Chettinad Chambers, Dr.Radhakrishnan Salai, 5<sup>th</sup> Street, Mylapore,  
 Chennai - 600 004.

K.P. Loganathan  
 K.P. Nagarajan

அனுப்புதல்

திருமா. முருகன்.  
செயல் அலுவலர்  
மரக்காணம் பேரூராட்சி.  
விழுப்புரம் மாவட்டம்

பெறுதல்

சார் பதிவாளர் அவர்கள்  
சார் பதிவாளர் அலுவலகம்  
மரக்காணம்.

ந.க.எண்.அ1/159/2015 நாள் 11.01.2016

ஐயா,

பொருள்: அனுமதியற்ற மனைப்பிரிவு - விழுப்புரம் மாவட்டம் - மரக்காணம் பேரூராட்சி - கைப்பாணிக்குப்பம் மற்றும் நாரவாக்கம் பகுதியில் மஞ்ச குருப் பெனியா பீச் மற்றும் பவிஷா பீச் என்ற பெயரில் நகர ஊரமைப்புத்துறை மற்றும் பேரூராட்சி துறை மூலம் எவ்வித அனுமதி பெறப்படாமல் வீட்டுமனைகள் அமைக்கப்பட்டு அரசுக்கு சொந்தமான புறம்போக்கு நிலங்களில் ஆக்கிரமைப்பு செய்து விற்பனை செய்யப்படுவது பத்திர பதிவு செய்ய நிறுத்தி வைக்க கோருதல் - தொடர்பாக.

- பார்வை 1 திரு.தினேஷ் எம்.சுராணா. பி.காம்.பி.எல்., வழக்குரைஞர் 72 ஆர்லேஸ் ரோடு. கீழ்ப்பாக்கம், சென்னை-10 என்பவரின் புகார் மனு நாள் 25.09.2015.
2. திரு.இரா.சர்வேஷ்குமார், மாநில பொதுச்செயலாளர், நமோ பேரவை தமிழ்நாடு 17<sup>th</sup> பஜனை கோயில் தெரு, கரிப்பாளையம், மரக்காணம் என்பவர் விழுப்புர மாவட்ட ஆட்சித்தலைவர் அவர்களுக்கு வழங்கிய புகார் மனு நாள் 30.10.2015.
3. இப்பேரூராட்சி அலுவலகம் மூலம் வழங்கப்பட்ட அறிவிப்பு ந.க.எண்.அ1/68/2015 நாள் 29.10.2015
4. திரு.ஆ.இரவிக்குமார் --- பேரூராட்சி மன்ற தலைவர், தி.மு.க. மாவட்ட கழக துணை செயலாளர் மரக்காணம் என்பவரின் புகார் மனு நாள் 24.11.2015.
5. பேரூராட்சிகளின் உதவி இயக்குநர், கடலூர் மண்டலம், கடலூர் அவர்களின் ந.க.எண்.அ2547/2015/பேரு3 நாள் 26.11.2015 மற்றும் 04.12.2015

விழுப்புரம் மாவட்டம், மரக்காணம் பேரூராட்சிக்குட்பட்ட நாரவாக்கம் மற்றும் கைப்பாணிக்குப்பம் பகுதிக்கும் இடையே மஞ்ச குருப் என்ற ரியல் எஸ்டேட் நிறுவனம் பெனியா பீச் மற்றும் பவிஷா பீச் என்ற பெயரில் சர்வே எண்.180 முதல் 212 வரை உள்ள இடங்களில் அரசுக்கு சொந்தமான புறம்போக்கு இடங்களான மந்தைவெளி மேய்ச்சல் புறம்போக்கு குளம், குட்டை ஆகியவை ஆக்கிரமிப்பு செய்தும் விவசாய பட்டா இடங்களில் உரியதுறைகளிடம் எவ்வித அனுமதியும் பெறாமல்

மனைப்பிரிவுகள் என விளம்பரம் செய்யப்பட்டு, விவசாய நிலங்களாக விற்பனை செய்யப்படுவதாக பார்வை (1) மற்றும் (4)-ல் காணும் புகார் மனுவில் தெரிவிக்கப்பட்டதனை தொடர்ந்து பார்வை (1)-ல் காணும் இப்பேரூட்சி மூலம் உரியதுறைகளிடம் அனுமதி பெறாமல் மனைப்பிரிவுகள் அமைக்கப்பட்டதற்கு உரிய விளக்கம் அளிக்குமாறும், உரிய துறைகளிடம் அனுமதி பெற முன்மொழிவுகள் சமர்ப்பிக்க கோரியும் அறிவிப்பு சார்வு செய்யப்பட்டது. மேலும் பொதுமக்கள் தங்களது அறியாமையின் காரணமாக மேற்படி மனைப்பிரிவில் மனைகள் வாங்க வேண்டாம் எனவும், அங்கீகரிக்கப்பட்ட மனைப்பிரிவு என்பதால் எவ்வித அடிப்படை வசதிகளும் செய்து தர மாட்டாது எனவும் அறிவிப்பு பலகை வைக்கப்பட்டுள்ளது. எனவே எவ்வித அனுமதியும் பெறாமல் மனைப்பிரிவுகள் என விளம்பரம் செய்யப்பட்டு விவசாய நிலங்களாக விற்பனை செய்யப்படுவதை பத்திர பதிவு செய்வதை நிறுத்தி வைக்க வேண்டுமாறு இதன் மூலம் கனிஷ்டன்-தெரிவித்துக்கொள்ளப்படுகிறது.

ஓம்—

சேயல் அலுவலர்,  
மரக்காணம் பேரூராட்சி.  
விழுப்புரம் மாவட்டம்.

நகல்: மாவட்ட ஆட்சியர், மாவட்ட ஆட்சியரகம், விழுப்புரம் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: பேரூராட்சிகளின் உதவி இயக்குநர் கடலூர் மண்டலம், கடலூர் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: மாவட்ட பதிவாளர், மாவட்ட பதிவாளர் அலுவலகம், விழுப்புரம் அவர்களுக்கு தகவலுக்காக அனுப்பி வைக்கப்படுகிறது.

நகல்: நகர் ஊரமைப்பு உதவி இயக்குநர், விழுப்புரம் மண்டலம் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: வருவாய் வட்டாட்சியர், வட்டாட்சியர் அலுவலகம், மரக்காணம் அவர்களின் தகவலுக்காக அனுப்பப்படுகிறது.

ந.க.எண்.அ/68/2015

நாள்.29.10.2015

“நோட்டீஸ்”

மரக்காணம் பேரூராட்சிக்குட்பட்ட கி.க.சாலை நாவாக்கம் அருகில் MANJU GROUPS துங்கள் நிறுவனத்தினால் பெனியா பீச் மற்றும் பவிஷா பீச் என்ற பெயரில் அரசு விதிகளுக்கு புறம்பான கட்டற்கரை HTL-ல் இருந்து 500 மீட்டருக்கு குறைவாக உள்ள இடத்தில் குடியிருப்பு மனைப்பிரிவுகள் மற்றும் இதர அமைப்புகள் அமைக்க இடம் பிரிக்கப்பட்டு, அரசு சொந்தமான புறம்போக்கு இடங்களை ஆக்கிரமிப்பு செய்தும், நகர் ஊரமைப்புத்துறை, பேரூராட்சி துறை மற்றும் இதரத்துறைகள் மூலம் எவ்வித அனுமதி பெறப்படாமல் தங்களால் அமைக்கப்பட்டுள்ள அங்கீகரிக்கப்படாத மனைப்பிரிவுகளாக பிரித்து விற்பனை செய்து வருவதாக தெரிய வருகிறது. பொதுமக்களுக்கு அடிப்படை வசதிகளை செய்து கொடுக்க அரசு விதிகளின்படி மனைப்பிரிவின் மொத்த பரப்பளவில் 10 சதவிகிதம் பொது பயன்பாட்டிற்கு மற்றும் விதிமுறைகளின்படி சாலை ஒப்படை செய்யாமலும், பேரூராட்சிக்கு செலுத்தப்பட வேண்டிய அபிவிருத்திக்கட்டணம் மற்றும் அங்கீகரிக்கட்டணம் செலுத்தாமல் மனைப்பிரிவு விற்பனை செய்வதும், பேரூராட்சியின் அனுமதி பெறாமல் மனைப்பிரிவில் நுழைவு வாயில், சுற்று சுவர் மற்றும் அலுவலக கட்டிடம் கட்டப்பட்டுள்ளது நகராட்சி சட்டத்திற்கு புறம்பான செயலாகும்.

எனவே, இந்த அறிவிப்பு கிடைக்கப்பெற்றவுடன் விற்பனையை நிறுத்திவிட்டு 7 தினங்களுக்குள் மேற்படி செயலுக்கு உரிய முகாந்திரம் அளிக்க தெரிவிக்கப்படுகிறது. தவறும் பட்சத்தில் 1920-ம் ஆண்டு தமிழ்நாடு மாவட்ட நகராட்சிகள் சட்டம் பிரிவு 175, 176, 177 மற்றும் 313-ன்படி கடும் நடவடிக்கை மேற்கொள்ளப்படும் என இதன் மூலம் அறிவிக்கப்படுகிறது.

செயல் அலுவலர்,  
மரக்காணம் பேரூராட்சி.

பெறுதல்  
உரிமையாளர்,  
MANJU GROUPS அங்கீகரிக்கப்படாத மனைப்பிரிவு,  
கி.க. சாலை அருகில், நாவாக்கம் அருகில்,  
மரக்காணம்.

நகல்: மாவட்ட ஆட்சியர், மாவட்ட ஆட்சியரகம், விழுப்புரம் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: பேரூராட்சிகளின் உதவி இயக்குநர், கடலூர் மண்டலம், கடலூர் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: உதவி இயக்குநர், நகர் ஊரமைப்பு துறை, விழுப்புரம் அவர்களுக்கு தகவலுக்காக பணிந்து அனுப்பப்படுகிறது.

நகல்: தலைவர், பேரூராட்சி மற்றும், மரக்காணம் அவர்களுக்கு தகவலுக்காக

நகல்: திரு.சர்வேஷ்குமார், பஜனை கோயில் தெரு, மரக்காணம் அவர்களுக்கு தகவலுக்காக

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REGISTRATION DEPARTMENT

From  
M.J. Chamundeswari,  
Sub Registrar,  
Marakannam.

To  
Dinesh Surana,  
S/o N.K. Surana,  
No. 72 Harleys Road, Kilpauk,  
Chennai 600 010.

No. 26/2016 Dated 19.02.2016

Sir/Madam,

Sub : Petition – Layout – Regarding,

Ref : Your letter Reference no nil Dated on 22.02.2016

\*\*\*\*\*

With reference to your above letter it is hereby informed that the layouts being promoted by M/S Manju Foundation Pvt. Ltd, in Marakannam Village are got Sanctioned by The Executive Officer, Marakannam and for the same value has been fixed by District Registrar, Tindivanam. So no question of illegal transaction by Sub Registrar.

As per your letter for the rest of your questions this Department is not answerable.

Hence Kindly contact the necessary persons for all your question, If any other clarification is required you may contact the Sub Registrar.

Sd/-  
Sub - Registrar,  
Marakannam

/ True copy /



By RPAD

District Level Coastal Zone Management Authority,  
Villupuram District.

Proc.No.F.NA/CRZ/DLCZMA/YPM/2016, Dated: 11/06/2016.

Sir,

Sub:	DLCZMA – Villupuram – Bhinaya Beach, Bhavishya Beach, Barsha Beach, Baritha Beach, Bavitha Beach & Others promoted by M/s Manju Foundations Private Limited, S.F.No. 188, 189, 190, 191, 195, 211, 212, 194, 195, 196, 210, 213, 192, 193, 174/9, 174/21 and others, Kaipankuppam & Naravakkam Villages, Marakkanam Taluk, Villupuram District – Violation of provisions of the CRZ Notification 2011 – Show Cause Notice under Environmental (Protection) Act, 1986 – Issued - regarding
Ref: 1	The Environment (Protection) Act, 1986 as amended
2	The Coastal Regulation Zone Notification 2011, dated 06.01.2011
3	Complaint petition from M/s Aaravika Holdings, M/s Arihant Farm Developers, M/s SDN Housing and Resorts, Master Aarav Surana, Minor, Baby Avika Suran, Minor Represented by Dinesh N.Surana S/o N.K.Surana, 72, Harleys Road, Kilpauk, Chennai, 600 010 stating that illegal layout in violation of the Coastal Regulation Zone norms made in the area by the M/s Manju Foundations Private Limited received in this office dated 22.02.2016
4	Same Complaint petition received through the Member Secretary, Department of Environment, Chennai received in this office dated 07.03.2016
5	Complaint petition from Dinesh N.Surana regarding illegal construction in Kaipankuppam and Naravakkam Villages, Marakkanam Taluk, Villupuram District received in this office 07.03.2016
6	Inspection of the site by TNPCB officials on 23.05.2016

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Whereas, any violation of the provisions of the CRZ Notification 2011, by any company or person, is an offence punishable under Section 15(1) read with Section 16(1) of the Environment (Protection) Act, 1986.

Whereas, Section 15(1) of the Environment (Protection) Act, 1986, provides that "Whoever fails to comply with or contravenes any of the provisions of this Act, or the rules made or orders or directions issued there under, shall in respect of each such failure or contravention, be punishable with imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both" and Section 16(1) of the said Act provides that "Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly"

Whereas, Section 5 of the Environment (Protection) Act, 1986, empowers the Central Government and State Government to issue directions to any person, and such person shall be bound to comply with the said direction.

Whereas, your company of M/s Manju Foundations Private Limited, has undertaken formation of residential plots at S.F.No. 188, 189, 190, 191, 195, 211, 212, 194, 195, 196, 210, 213, 192, 193, 174/9, 174/21, Kaipankuppam & Naravakkam Villages, Marakkanam Taluk, Villupuram District.

Whereas, during the inspection of the project site M/s Manju Foundations Private Limited, S.F.No. 188, 189, 190, 191, 195, 211, 212, 194, 195, 196, 210, 213, 192, 193, 174/9, 174/21, Kaipankuppam & Naravakkam Villages, Marakkanam Taluk, Villupuram District on 23.05.2016 by the District Environmental Engineer, Tamilnadu Pollution Control Board, Villupuram along

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with Assistant Engineer, it was observed that the formation of residential plots and erection of temporary G.I. Roof building situated close to the seashore within 20 metres distance from the seashore observed without obtaining CRZ Clearance as stipulated in the CRZ Notification 2011 notified under the provisions of Environment (Protection) Act, 1986.

Whereas any activity in CRZ whether formation of layout or construction or reconstruction of houses or change of projects etc., requires clearance under CRZ Notification 2011 from the competent authorities.

Whereas the action of your company and you as the person directly in charge of and was responsible to, the company for the conduct of the business of the company, having commenced formation of residential plots and erection of temporary G.I. roof building situated close to the seashore within 20 metres distance from the seashore observed without obtaining CRZ Clearance as stipulated in the CRZ Notification 2011 notified under the provisions of Environment (Protection) Act, 1986 is an offence under Section 15(1) read with Section 16(1) of the Environment (Protection) Act, 1986, and punishable under Section 15(1) of the Environment (Protection) Act, 1986.

Therefore you are hereby directed to show cause within 15 (Fifteen) days from the date of issue of this proceedings, as to why prosecution should not be initiated against your company and you for the violation committed by you and your company which is an offence under Section 15(1) read with Section 16(1) of the Environment (Protection) Act, 1986 and punishable under Section 15(1) of the said Act.

It is informed, if no reply is received within the time limit fixed above, it would be construed that your company and you do not have any satisfactory explanation to offer in this matter, and appropriate action would be initiated in accordance with law.

*M. S. S.*  
Chairman, 11/6/16.  
District Level Coastal Zone Management Authority,  
Villupuram.

15/8  
20-5-16

To

(1) The Chairman / The Managing Director,  
M/s Manju Foundations Private Limited,  
Chettinad Chambers,  
No. 39, Radhakrishnan Salai,  
5<sup>th</sup> Street, Mylapore,  
Chennai 600 004.

(2) The Chairman / The Managing Director,  
M/s Manju Foundations Private Limited,  
S.F.No. 188, 189, 190, 191, 185, 211, 212, 194, 195, 196, 210, 213, 192, 193, 174/9, 174/21,  
Kaipanikuppam & Naravakkam Villages,  
Marakkanam Taluk,  
Villupuram District

✓(3) File Copy

Manju Foundations Private Limited  
Pioneer Agnitio Park  
7<sup>th</sup> floor, No. 141 Kandanchavadi  
Old Mahabalipuram Road, Chennai 600096



1. The District Collector/Chairman  
District Coastal Zone Management Authority  
Villupuram district - Villupuram

2. The District Environmental Engineer &  
Convener-District Coastal Regulation Zone Authority,  
Tamil Nadu Pollution Control Board,  
Villupuram District,  
4/308, Ellis Chatram Road,  
Villupuram-605 602.

11<sup>th</sup> July 2016

Dear Sir,

Sub : CRZ - Bhinaya Beach, Bhavishya Beach, Bhavitha Beach,  
Bharisha Beach promoted by M/s. Manju Foundation Pvt., Ltd., at  
Kaipenikkuppam & Naravakkam, Marakkanam Taluk, Villupuram  
district - Submission to the Show Cause Notice issued - reg.

Ref. : Your Letter Proc. No. F. NA/CRZ/DLCZMA/VPM/2016-1 dated  
11.06.2016.

XXXX

We are in receipt of your Show Cause Notice cited in above reference only  
on 07.07.2016 by Registered Post. With reference to the Notice, we are pleased  
to inform the followings for your kind consideration and perusal :

1. Vide para 6 (2) CRZ III (ii) of CRZ Notification 1991, development of  
vacant plots as beach resort between 200mts and 500mts in CRZ-III  
shall be allowed. Further as per para 6 (2) CRZ III (i) of CRZ  
Notification 1991, in the No Development Zone in CRZ-III, ie., with in  
200mts from the HTL of sea, setting up of gardens, parks shall be  
allowed. Under beach resort projects, construction of live fencing and  
barbed wire fencing shall be allowed in CRZ-III around the project site  
under para 7(1) Annexure II of CRZ Notification 1991.

.2.

2. Clearance under CRZ Notification 1991 has been obtained from the Ministry of Environment and Forests, Government of India by M/s. Span Motels Pvt., Ltd., Vijaya 1<sup>st</sup> floor, 17, Barakhamba Road, New Delhi-110 001, for the construction of a Beach Resort in S.Nos. 180, 181, 188, 189, 190, 191, 193 to 196, 210 to 214 at Kaipankuppam and S.Nos. 215 to 217, 227, 229, 276 and 283 at Narravakkam of Marakkanam village, Tindivanam Taluk in Villupuram district vide No. 11-127/2008-IA-III Ministry of Environment and Forests, GoI dated 8<sup>th</sup> June 2009.
3. Vide para (viii) under 6 (I) Specific conditions, of the above said clearance, issued by the Ministry of Environment and Forests, Government of India, dated 8<sup>th</sup> June 2009, it is ordered that:

"provision shall be made for the housing of construction labour with in the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, creche etc., The housing may be in the form of temporary structures to be removed after the completion of the project".

Accordingly temporary sheds have been constructed as per the orders of the MoEF&CC, GoI and there is no violation as per CRZ Notifications. In this connection it is further informed that as of today there were absolutely no structures situated within 20 mts from shore and this for your kind information.

4. Vide para .8 .III .CRZ .III (A) .(iii) (j) of CRZ Notification 2011, construction of roads, provision of facilities for water supply, drainage, sewerage etc.; which are required for the local inhabitants are permissible activities in the No development zone i.e., with in 200mts from the sea. Further the said activities are also permissible activities so long it is within the ambit of traditional rights and customary uses vide para 8 III CRZ III (B) (viii) of CRZ Notification 2011 in the CRZ III areas between 200mts to 500mts from the HTL of

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sea. As per rule 8 III CRZ III (B) (vii) of CRZ Notification 201 and construction or reconstruction of dwelling units in the existing fishing villages is permissible activity subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors.

- 3.
5. In view of above fact we made an application for the approval of planning permission on 22.12.2015 to the Department of Town and Country Planning and the matter is pending at the O/O of the Town and Country Planning, Villupuram.
  6. Further we confine ourselves to S.Nos. 189 part, 190 part, 191 part, 192 part, 194 part, 195 part, 196 part, 211 part of lands at Marakkaniam village only and NOT other Survey numbers stated in your notice as the same are not belonging to us and any development in the said land has also no way connected to us.
  7. Thus, we are pleased to inform you that we have not violated any provision under CRZ Notification 2011 and Environment (Protection) Act, 1986, as stated in the Show Cause Notice. The complaint petition filed against us is only with the vested interest and not for any violation of the CRZ Notification 2011. Also, it is informed that the activities carried out on own patta lands did not cause any environmental damage or impact viz. air pollution, water pollution and solid waste disposal so as to initiate any action under the Environment (Protection) Act, 1986.
  8. More over we assure that no development were carried out in our project site and also no development will be undertaken without proper clearances from the competent authorities.
  9. Further we bring to your kind notice that a writ petition filed in W.P.No.9904/2016 is pending before the Hon'ble High Court of Madras.

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Therefore, taking into consideration of above facts and circumstances, we are requesting your good office to accept our above explanation as sufficient and close your Show Cause Notice dated 11.06.2016 issued under CRZ Notification 2011 and EP Act 1986 and drop all further proceedings pursuant to that.

Thanking you,  
Yours faithfully,

For 'Manju Foundations Private Limited'



Authorized Signatory

1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.20713 of 2013

and

M.P.No.1 of 2013

M.S.Karnan

.. Petitioner

-vs-

1.The Collector,  
Villupuram District.

2.The Revenue Divisional Officer,  
Tindivanam,  
Villupuram District.

3.The Tahsildar,  
Tindivanam,  
Villupuram District.

4.V.Elumalai

5.K.Venkadesan

6.E.Chinna Rani

7.E.Arulraj

8.K.Rani

9.M.Selvaraj

10.M.Muthalammal

11.M.Gunasekaran

12.S.Sundari

.. Respondents

(Respondent Nos.4 to 12 impleaded as per  
the order in MP.No.1/2014, dt. 20.01.2014)

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 12.04.2013.

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For Petitioner : Mr.R.Karunakaran  
For Respondents : Mr.STS.Moorthy  
Government Pleader  
assisted by  
Mr.V.Shanmugasundar  
Govt. Advocate for R1 to R3  
Mr.E.Kotteeswaran for R4toR12

\* \* \* \* \*

**ORDER**

(Order of the Court was made by The Hon'ble Chief Justice)

A perusal of the pleadings and the counter-affidavit show an allegation against the petitioner being a property developer and thus having envy against the private respondents. However, simultaneously, it is admitted that there are encroachments of Government land, including water area, cart track and anadeenam land etc. Thus, the respondent authorities cannot hide behind the allegation in not performing their obligations to protect the public land and the water area. There are also allegations of land records being unauthorisedly altered to facilitate occupation of the land by third parties. We do believe that the allegations are serious and the District Collector, Villupuram should personally look into this matter and an investigation be carried under his direct supervision. Necessary action in accordance with law be taken qua any encroachment after notice to all concerned and the exercise be completed within a period of three months of the receipt of this order.



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2. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2013 is closed.

3. List for compliance on 07.10.2016 and the compliance report be filed atleast three days before the next date of hearing after serving copy to the petitioner.

(S.K.K., CJ.) (R.M.D., J.)  
29.06.2016

Index : Yes/No  
Internet : Yes/No  
bbr

Note: Order copy be issued on 04.07.2016.

To

- 1.The Collector,  
Villupuram District.
- 2.The Revenue Divisional Officer,  
Tindivanam,  
Villupuram District.
- 3.The Tahsildar,  
Tindivanam,  
Villupuram District.

Copy to

The Sub Assistant Registrar (Writs)  
High Court, Madras.

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The Hon'ble Chief Justice  
and  
R.Mahadevan, J.

bbr

W.P.No.20713 of 2013

29.06.2016

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From  
Dr. L. Subramanian, I.A.S.,  
District Collector,  
Viluppuram District,  
Viluppuram.

To  
The Government Pleader,  
High Court,  
Chennai - 104.

R.C. No. B5 / 23461 / 2013, dt. 05.10.2016.

Sir,

Sub : Writ Petition - Hon'ble High Court - W.P. No. 20713 / 2013 - Filed by Thiru. M.S. Karnan, Thazhangadu Village, Marakkanam Taluk - Directions issued - Action taken to comply the Court Order - Requesting to defend the case on 07.10.2016 - Regarding.

Ref: 1. Directions of the Hon'ble High Court, Chennai in W.P. No. 20713 / 2013 dt. 29.06.2016.  
2. Letter received from the Government Pleader, High Court, Chennai, dt. 03.10.2016.

I invite your attention to the references cited above.

At the outset, I wish to state that the first bench of Hon'ble High Court, Chennai in its order dated 29.06.2016 in W.P. No. 20713 of 2013 filed by one Thiru. M.S. Karnan have directed the District Collector and the 1<sup>st</sup> respondent in the Writ Petition to *personally look into the matter and an investigation be carried under his direct supervision and also to take necessary action in accordance with law be taken qua any encroachment after notice to all concerned and the exercise be completed within a period of three months of the receipt of the order.* This respondent have received the orders of the Hon'ble Court only on 08.07.2016 and immediately initiated necessary actions to fulfill the Hon'ble High Court orders.

In deference to the orders of the Hon'ble High Court, the District Collector, Viluppuram have instructed the Tahsildar,

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Marakkanam for the implementation of the order (i.e.) to evict the encroachments made in the government land including Vandipathai, Thoppu and Manthaiveli porambokes of Kaipani Village, H/o. Marakkanam (North) Revenue Village.

As instructed by the District Collector, Viluppuram the Tahsildar, Marakkanam and his team consisting Revenue Inspector and Firka Surveyor have completed the demarcation process and then, the Tahsildar, Marakkanam have issued notice under Sec.7 of Tamil Nadu Encroachment Act, 1905 on 24.08.2016 and on lapse of the same, the Tahsildar have evicted all the encroachments made in R.S. No. 175/1, 175/2 and 192 of Marakkanam (North) Village as requested by the Writ Petitioner in his affidavit. The details of eviction is as follows.

Sl. No	R.S. No. / Classification	Extent of Encroachment In Hectares	Extent of Eviction In Hectares	Mode of Encroachment	Name and No. of Encroachers
1.	175/1, Vandipathi Poramboke	0.09.0	0.09.0	Cultivation	Thiru. Anbu and others 04
2.	175/2, Thoppu Poramboke	0.01.0	0.01.0	Shed	Thiru. Elumalai, S/o. Verasamy.
3.	192/-, Manthaiveli	1.05.0	1.05.0	Thar Road, Fencing and Cultivation.	M/s. Manju Groups and others.

All the encroachments made in the above survey numbers were fully evicted and thus the orders of the Hon'ble High Court is complied.

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Regarding the allegations on patta transfer represented in the affidavit of the Writ Petitioner, *this respondent have ordered the District Revenue Officer and Additional District Magistrate to conduct an detailed enquiry by perusing the revenue records and by making inspection in the disputed site.* The enquiry report and the findings are still awaited.

I hereby assure that necessary action will be initiated based on the report submitted by the District Revenue Officer, Viluppuram and in accordance with rules and regulations in force. Necessary disciplinary actions will be initiated against the erring officials if anybody noticed in the report.

*Hence, in the circumstances stated above, this respondent request you to apprise the above facts before Hon'ble High Court and to do the needful to defend the case in favour of government on the next date of hearing, i.e. on 07.10.2016.*

Your's sincerely

*Chinn*  
5/10/2016/11  
Collector  
Viluppuram

*Chinn*  
5/10/16

IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT  
VILLUPURAM

O.S. No. of 2022

Manju Foundations Pvt. Ltd.,  
Represented by its Authorized Signatory  
Mr.K.Kumar  
No.8/57, Saptheswara Apartments,  
II Avenue, 1<sup>st</sup> Avenue,  
Ashok Nagar,  
Chennai 600083.

:: Plaintiff

Vs

1. Mr.Loganathan  
S/o.Ponnuranga Chettiar  
2. Mr.K.P.Nagarajan  
S/o.Ponnuranga Chettiar,  
Both are residing at  
Kaippanikuppam Village,  
Marakanam Taluk,  
Villupuram District.

:: Defendants.

MEMO OF VALUATION.

Value of suit for specific performance Rs.95,20,000.00

Court fee paid under Section 42(a) of the  
Tamil Nadu Court Fees and Suits valuation  
Act 1955. Rs.2,85,600/-.

Dated at Villupuram on this the 9<sup>th</sup> day of August, 2022.

Counsel for Plaintiff

Plaintiff.

IN THE COURT OF PRINCIPAL DISTRICT JUDGE AT  
VILLUPURAM

O.S. No. of 2022

Manju Foundations Pvt. Ltd.,  
Represented by its Authorized Signatory  
Mr.K.Kumar  
No.8/57, Saptheswara Apartments,  
II Avenue, 1<sup>st</sup> Avenue,  
Ashok Nagar,  
Chennai 600083.

:: Plaintiff

Vs

1. Mr.Loganathan  
S/o.Ponnuranga Chettiar  
2. Mr.K.P.Nagarajan  
S/o.Ponnuranga Chettiar,  
Both are residing at  
Kaippanikuppam Village,  
Marakanam Taluk,  
Villupuram District.

:: Defendants.

PLAINT FILED UNDER ORDER VII RULE 1 OF C.P.C.

The above named plaintiff submits as follows:

1. The Plaintiff is Manju Foundations Pvt. Ltd., Represented by its Authorized Signatory, Mr.K.Kumar, No.8/57, Saptheswara Apartments, II Avenue, 1<sup>st</sup> Avenue, Ashok Nagar, Chennai 600083 within the jurisdiction of City civil Court, Chennai.

The address for service of all notices and processes on the plaintiff is that of their counsel M/s.C.Deivasigamani, R.Gunasekaran and S.Baskaran, Advocates, No.20, Mailam Road, Tindivanam, and Chamber No.310, New Additional Law Chambers, High Court Buildings, Chennai 600104.

2. The first defendant is Mr. Loganathan S/o. Ponnuranga Chettiar. Hindu, aged about ... years and the 2<sup>nd</sup> defendant is Mr. K.P. Nagarajan S/o. Ponnuranga Chettiar, Hindu, aged about ... years, both are residing at Kaippanikuppam Village, Marakanam Taluk, Villupuram District within the jurisdiction of this Hon'ble Court.

3. The Plaintiff submits that the plaintiff Company is a registered company incorporated under the Companies Act and is engaged in the business of promoting and developing lands into plots, Villas for the past several years. The authorized person is the present President of the plaintiff company.

4. The Plaintiff submits that the plaintiff company promoted a project at Kaippanikuppam Village, Marakanam Taluk by purchasing large extent of land and developed it into house sites. For the purpose of having a convenient way for the project, the plaintiff company entered into a Sale Agreement on 16.4.2015 with the defendants herein in respect of the property schedule hereunder. The sale price of Rs.56,000/- per cent was agreed as sale consideration. Advance amount of Rs.50,000/- was paid towards the part payment of the sale consideration. Though the area covered under the sale agreement was 1.70 acres, there were no survey stones or fixed boundaries around the suit property to identify the property separately as the surrounding properties were also vacant lands. Therefore the sale consideration was agreed as Rs.56,000/- per cent instead of fixing the sale consideration for the entire extent of 1.70 acres. It was specifically discussed and the agreement was executed with such recitals. At the time

of the entering into the sale agreement dated 16.4.2015, the defendants promised to get the property measured with a qualified surveyor and to get separate patta in the name of the defendants with separable sub divided survey number.

5. The plaintiff submits that on 15.08.2015, the defendants approached the plaintiff company and expressed their inability to spend money for the purpose of measuring and getting patta and received a further advance amount of Rs.20,000/- in cash and made an endorsement on the backside of the original sale agreement dated 16.04.2015. The plaintiff company was repeatedly asking the defendants to complete measurements and getting separate patta for the suit property so that the plaintiff company can pay the balance sale price and complete the sale transaction. The defendants assured the plaintiff company that they are taking every step towards measurement and getting separate patta. The defendants were asking time to complete measurement and getting separate patta and pressurized the plaintiff company to pay Rs.1,00,000/- more and thereby the plaintiff company paid the defendants Rs.1,00,000/- on 02.08.2018 and the defendants have made an endorsement to that effect <sup>Ue</sup> in the original sale agreement dated 16.04.2015.

6. The plaintiff submits that the defendants again approached the plaintiff company and demanded another Rs.2,00,000/- so that they can measure the property as there was objection from the nearby private parties. The plaintiff company on 26.08.2020 with the good intention to completing the sale paid Rs.2,00,000/- towards the part payment of sale

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consideration. It was endorsed on the backsides of the original sale agreement dated 16.04.2015 by the defendants.

7. The plaintiff submits that the plaintiff company has always been ready and willing to perform his part of the contract and to pay the sale consideration. The defendants have been delaying the performance of their part though they have received amounts towards part payment of the sale consideration.

8. The Plaintiff submits that on 26.08.2022 the defendants attempted to put up a thatched shed on the suit property. The plaintiff company objected it. But the defendants were unwilling to heed the objections raised by the plaintiff company. The defendants have no right to alter the nature of the suit property which is vacant land. The attempt of the defendants to alter the suit property did not succeed. In the present notice dated 29.08.2022 the date was wrongly typed as 26.06.2022 instead of 26.08.2022. The plaintiff further submits that on 26.08.2022 the defendants brought strangers to the suit property and were talking with them the terms for selling the suit property. On knowing the same the plaintiff company contacted the defendants and demanded sale of the suit property as agreed by them by measuring the suit property and by getting separate patta. The defendants reply was adamant and they expresses that they will got ahead with the sale of the suit property to the strangers. The objection raised by the plaintiff company was not heeded by the defendants. The action of the defendants is not lawful.

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9. The plaintiff submits that the plaintiff company sent a legal notice dated 29.08.2022 to the defendants calling upon them to execute the sale deed in respect of the suit property. The defendants received the same but did not give any reply. On the contrary he is taking hectic steps to alienate the suit property so as to defeat the rights of the plaintiff company on the sale agreement dated 16.4.2015.

10. Hence the plaintiff files the suit for specific performance of the sale agreement dated 16.04.2015 executed by the defendants in favour of the plaintiff company in respect of the suit property failing which the same may be done through this Hon'ble Court and for other reliefs.

11. The cause of action for the suit arose on 16.04.2015 when the sale agreement was entered into between the defendants and the plaintiff company in respect of the suit property, on 15.08.2015 when the Defendants received Rs.20,000/- towards part payment of sale consideration; on 02.08.2018 when the received Rs.1,00,000/- from the plaintiff company towards the part payment of the sale consideration, on 26.08.2020 when the defendants received Rs.2,00,000/- from the plaintiff company towards the part payment of the sale consideration, on 26.08.2022 when the defendants brought strangers to the suit property and were talking with them the terms for selling the suit property on 29.08.2022 when presuit notice was issued to the defendants at Kaippanikuppam Village which is within the jurisdiction of this Hon'ble Court.

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12. The Plaintiff values the suit at Rs.95,20,000/- and pays court fee of Rs.2,85,600/- under Section 42(a) of the Tamil Nadu Court Fees and Suit Valuation Act 1955.

It is therefore prayed that this Hon'ble Court may be pleased to pass a judgment and decree in favour of the plaintiff;

a) For specific performance of the sale agreement dated 16.04.2015 executed by the defendants in favour of the plaintiff company in respect of the suit property failing which the same may be done through this Hon'ble Court and for delivery of possession of the suit property to the plaintiff.

b) for costs of the suit and

c) for other reliefs that this Hon'ble Court may deem fit and proper under the circumstances of the case.

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.

#### VERIFICATION.

I, K.Kumar, authorized signatory of Manju Foundations Pvt. Ltd. having its registered office at No.8/57, Saptheswara Apartments, II Floor, 1<sup>st</sup> Avenue, Ashok Nagar, Chennai 600083 herein do hereby declare that the facts stated above are true to the best of my knowledge and belief.

Dated at Villupuram on this the      day of August, 2022.

Plaintiff.

## SCHEDULE OF PROPERTY.

Villupuram District, Marakanam taluk, Kaippanikuppam Village of an extent of Acre 1 and 70 cents

S.No.	Survey No.	Extent Cents	Direction	boundaries
1.	211/1	53	North South EAST West	210/5 & 210/6 211/1 part 211/6 195/3
2.	195/4	117	North South East West	195/3 195/4 part 211/2 196/1

Total extent = 170 Cents.

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.

## VERIFICATION.

I, K.Kumar, authorized signatory of Manju Foundations Pvt. Ltd. having its registered office at No.8/57, Sapthesweara Apartments, II Floor, 1<sup>st</sup> Avenue, Ashok Nagar, Chennai 600083 herein do hereby declare that the facts stated above in the schedule is to the best of my knowledge and belief.

Dated at Villupuram on this the      day of August, 2022.

Plaintiff.

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List of documents filed under Order VII Rule 14(1) of C.P.C.

S.No.	Date	Description	Remarks.
1.	16.04.2015	Sale Agreement executed by the Defendants In favour of the plaintiff company	Original
2.	29.08.2022	Notice sent by the plaintiff company to the Defendants with postal receipts.	Copy
3.		Plaintiff company incorporation Certificate	Xerox
4.		Board Resolution.	Xerox

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.

List of documents filed under Order VII Rule 14(2) of C.P.C.

Nil at present.

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.

Statement of address furnished under Order VI Rule 14A of C.P.C.

For the plaintiff.

Manju Foundations Pvt. Ltd.,  
Represented by its Authorized Signatory  
Mr.K.Kumar  
No.8/57, Saptheswara Apartments,  
II Avenue, 1<sup>st</sup> Avenue,  
Ashok Nagar,  
Chennai 600083.

Address for service on the  
Plaintiff

M/s.C.Deivasigamani, R.Gunasekaran  
and S.Baskaran, Advocates,  
No.20, Mailam Road, Tindivanam,  
and  
Chamber No.310, New Additional Law  
Chambers, High Court Buildings,  
Chennai 600104.

For the defendants

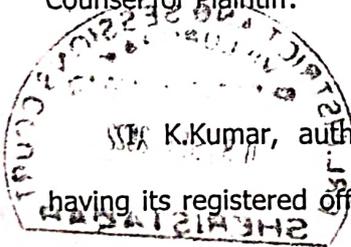
1. Mr.Loganathan  
S/o.Ponnuranga Chettiar  
2. Mr.K.P.nagarajan  
S/o.Ponnuranga Chettiar,  
Both are residing at  
Kaippanikuppam Village,  
Marakanam Taluk,  
Villupuram District.

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.

VERIFICATION.

 K.Kumar, authorized signatory of Manju Foundations Pvt. Ltd.  
having its registered office at No.8/57, Sapthesweara Apartments, II Floor,

1<sup>st</sup> Avenue, Ashok Nagar, Chennai 600083 herein do hereby declare that the  
facts stated above is to the best of my knowledge and belief.

Dated at Villupuram on this the      day of August, 2022.

Plaintiff.

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MEMO OF VALUATION.

Value of suit Rs.95,20,000.00

Court fee paid under Sec. 42(a) of the  
Tamil Nadu Court Fees and Suit  
Valuation Act 1955. Rs.2,85,600/-.

Dated at Villupuram on this the      day of August, 2022.

Counsel for Plaintiff.

Plaintiff.



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IN THE COURT OF PRINCIPAL DISTRICT  
JUDGE AT VILLUPURAM

O.S. No. of 2022

Manju Foundation Pvt. Ltd.  
Rep. by its Authorized Signatory  
Mr.K.Kumar. :: Plaintiff

Vs

Mr.Loganathan  
And another. :: Defendants.

PLAINT FILED UNDER ORDER VII  
RULE 1 OF C.P.C.



9962405030  
Nagarajan  
9899658167  
v. v. parakkal.  
99566111088

M/s. C.Deivasigamani E.No. 1121/90  
R.Gunasekaran E.No. 290/1992  
S.Baskaran E.Ms.No.876/2001

COUNSEL FOR PLAINTIFF.

Cell No.

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From

1.P. Nagarajan

2.K.P. Loganathan

Both sons of late Ponnurangan,  
25, East street, Kaipanikuppam Village,  
Tazhangadu Post, Marakkanam Taluk,  
Villupuram Dt. Pincode 604303.

BY SPEED POST

DATED 10.11.2022

ET19130013510 IN:0904171365135  
SF ANNA ROAD N.O 6000002  
Courier No:12/10/2022.20:31  
To:THE EXECUTIVE,MARAKKANAM TOWN  
PIN:604303, Marakkanam 50  
From:P NAGARAJAN,25 EAST ST  
Dt:30/05  
Act:41.30(Cash)Tarab.30

To,

The Executive Officer,  
Marakkanam Town Panchayat,  
Marakkanam Taluk.

Ref: Your notice dated 29.10.2015 & 04.07.2016 issued to M/s. Manju Foundations under section 56 and 57 of the town and country planning act 1971 and Tamil Nadu District Municipal Act, 1920 in regard to the unauthorised layout and A/C sheet shed built in the subject land.

Sub: Undertaking for removal of unauthorised and illegal developments over lands in S. No. 195/4A and 211/1 (Part) Marakkanam North Village.

I am the owner of the Part of the lands in S. No. 195/4A and 211/1 mentioned above, over which M/s. Manju Foundations Private Limited has encroached and formed illegal layout roads without our consent and gave false complaint against us and others vide CSR No. 35/2016. It has also violated various provisions of the act as stated by you in your notice dated 04.07.2016.

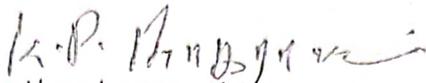
The remaining part of the lands in S. No. 195/4A belongs to M/s. Arihant Farm Developers, represented by Dinesh N Surana, at, 72, Harleys Road, Kilpauk, Chennai-10.

Since we are Part owners of the said lands, it is our responsibility to comply to your notice as we have knowledge of the same. Although the same is not addressed to us, we now have knowledge of the same and undertake to remove the illegal developments made in violation of norms within 7 days of the receipt

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of this letter, failing which you may be pleased to remove the same at our cost, if  
We fail to comply with our undertaking as hereby given.

Yours faithfully,

(Nagarajan)   
For self and brother Loganathan

Enclosed copy of notice dated 29.10.2015 & 04.07.2016 issued by The Executive  
Officer, Marakkanam Town Panchayat.

மரக்காணம் வருவாய் வட்டாட்சியரின் செயல்முறைகள்  
முன்னிலை: திரு. கோ.க.சரவணன், பி.எஸ்.சி.,

ந.க அ2/2142/2022,

நாள்: 14.11.2022

பொருள்: வழக்கு - சென்னை - கீழ்பாக்கம் - 72, ஹேர்லிஸ் சாலை -  
தி/ள், ஆரவிகா ஹோல்டிங்ஸ் - நிறுவன பங்குதாரர் திரு.  
தினேஷ் N. சுரானா த-பெ N.K. சுரானா என்பவர்  
மரக்காணம் வட்டம், மரக்காணம் (வடக்கு) கிராமம் -  
அரசு புறம்போக்கு நிலங்களில் தி/ள் மஞ்ச குருப்ஸ் என்கிற  
நிறுவனம் மனைபிரிவுகள் அமைத்துள்ளதாக  
அளித்த புகார் மனு - நடவடிக்கை கோரி -  
மாண்பும உயர்நீதிமன்றத்தில் வழக்கு தொடர்ந்தது -  
தீர்ப்புரை வரப்பெற்றது - நடவடிக்கை மேற்கொள்ளாதல் -  
தொடர்பாக.

பார்வை: 1. மாண்பும உயர்நீதிமன்ற வழக்கு எண்:  
W.P. No. 12675/2016, நாள்: 14.07.2022.

2. இவ்வலுவலக விசாரணை அழைப்பாணை  
ந.க அ2/2142/2022 நாள்: 16.09.2022.

3. மாவட்ட ஆட்சியர் விழுப்புரம் அவர்களின் கடிதம்  
ந.க.ஆ2/124110/2022, நாள்: 07.09.2022.

4. இவ்வலுவலக விசாரணை அழைப்பாணை  
ந.க அ2/2142/2022 நாள்: 29.09.2022.

5. இவ்வலுவலக விசாரணை அழைப்பாணை  
ந.க அ2/2142/2022 நாள்: 21.10.2022.

6. இவ்வலுவலக விசாரணை அழைப்பாணை  
ந.க.அ2/2142/2022. நாள்: 05.11.2022

சென்னை, கீழ்பாக்கம், கதவு எண்: 72, ஹேர்லிஸ் சாலை என்ற முகவரியில்  
இயங்கிவரும் தி/ள், ஆரவிகா ஹோல்டிங்ஸ் என்ற நிறுவன பங்குதாரர் திரு. தினேஷ் N.  
சுரானா த-பெ N.K. சுரானா என்பவர் மரக்காணம் வட்டம், மரக்காணம் (வடக்கு)  
கிராமம், கைப்பாணிக்குப்பம் மற்றும் நாரவாக்கம் பகுதியில் தி/ள். மஞ்ச பவுண்டேஷன் பிரைவேட்  
லிமிடெட் என்கிற நிறுவனம்

1. அரசு புறம்போக்கு நிலங்களை ஆக்கிரமிப்பு செய்து வழிப்பாதையாக காண்பித்து  
மனைப்பிரிவு அமைத்துள்ளது எனவும்,

2. மரக்காணம் வடக்கு கிராமம் புல எண்கள் 211/5, 189/3, 190, 193, 194, 189/4, 195/4, 211/2, 210/4, 186/1, 214/1, 214/2, 21/4C மற்றும் 215/- ஆகியவற்றில் எங்களுக்கும் சொந்தமான நிலம் உள்ளது எனவும், அந்த நிலங்களை தங்களது அனுமதியில்லாமல் தி/ள். மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனத்தின் பெயரில் உட்பிரிவு செய்து பட்டா மாற்றம் செய்யப்பட்டுள்ளது எனவும்
3. மரக்காணம் (வடக்கு) கிராமம், கடற்கரையையொட்டியுள்ள புல எண்கள் 180/(பா), 181/(பா), 188, 189, 190, 193, 194, 195, 196, 210, 211, 212, 213, 192, 174/9 மற்றும் 174/21 ஆகியன ஒருங்கிணைத்து சுமார் 160 ஏக்கர் நிலத்தில் சுற்றுசூழல் விதிகளுக்கு மாறாக மேற்படி தி/ள். மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் மனைபிரிவு அமைத்தும், கட்டமைப்பு வசதிகள் ஏற்படுத்தியும் வருகிறது எனவும்

புகார் தெரிவித்து அதன்மீது நடவடிக்கை மேற்கொள்ளக்கோரி 17.02.2016 அன்று பல்வேறு அரசு துறைகளுக்கு அளித்த புகார் மனுமீது நடவடிக்கை எடுக்கக்கோரி மாண்பமை உயர்நீதிமன்றத்தில் வழக்கு எண் W.P.No 12675/2016 -ன்படி வழக்கு தொடர்ந்துள்ளார். இவ்வழக்கில் விழுப்புரம் மாவட்ட ஆட்சியர் உள்ளிட்ட 14 அரசு அலுவலர்கள் பிரதிவாதிகளாக சேர்க்கப்பட்டுள்ளனர். இவ்வழக்கு தொடர்பாக வரப்பெற்ற பார்வை-1இல் காணும் தீர்ப்புரையில் நான்காம் பிரதிவாதியான மரக்காணம் வட்டாட்சியர், இருதரப்பினரையும் விசாரணை செய்து 12 வார காலத்திற்குள். மனுதாரர் மற்றும் பதினைந்தாம் பிரதிவாதியான தி/ள். மஞ்சு பவுண்டேஷன்ஸ் நிறுவனத்தினர் ஆகியோரை விசாரணை செய்து உரிய உத்தரவு பிறப்பிக்க ஆணை வழங்கப்பட்டுள்ளது.

மேற்படி மாண்பமை உயர்நீதிமன்ற ஆணையின்படி இருதரப்பினரிடமும் விசாரணை மேற்கொள்ளும் பொருட்டு பார்வை 2,4,5 மற்றும் 6 ல் காணும் விசாரணை அழைப்பாணைகள் அனுப்பப்பட்டு முறையே 23.09.2022, 10.10.2022, 29.10.2022 மற்றும் 12.11.2022 ஆகிய தேதிகளில் ஆஜராகிட இருதரப்பினருக்கும் தெரிவிக்கப்பட்டது. இந்நேரவில், மனுதாரர் திரு. தினேஷ் N. சுரானா த-பெ N.K. சுரானா என்பவர் இதில் 10.10.2022 அன்று மட்டும் விசாரணைக்கு நேரில், ஆஜரானார். இவ்வழக்கின் 15 வது பிரதிவாதி மற்றும் எதிர் மனுதாரரான மஞ்சு பவுண்டேசன்ஸ் பிரைவேட் லிமிடெட், என்ற நிறுவனத்தின் சார்பாக அதன் கையொப்ப பிரதிநிதி, திரு. R.கணேசன் என்பவர் ஆஜரானார்.

மனுதாரர் சென்னை-10, கீழ்பாக்கம், 072, ஹேர்லிஸ் ரோடு என்ற முகவரியைச் சேர்ந்த திரு. தினேஷ் என். சுரானா த-பெ N.K. சுரானா கீழ்கண்டவாறு தெரிவித்தார்.

சென்னை உயர்நீதிமன்ற வழக்கு எண்: W.P. எண்: 12675/2016- தொடர்பான அழைப்பாணை கிடைக்கப்பெற்று இன்று (10.10.2022) தங்கள் முன் ஆஜரானேன். மேற்படி வழக்கின் 15-ம் பிரதிவாதி மற்றும் எதிர் மனுதாரர் மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனம் அரசு மற்றும் தனி நபர்களுக்கு சொந்தமான நிலங்களையும் சேர்த்து (ஆக்கிரமித்து) பினயா பீச் மற்றும் நான்கு பெயர்களில் மனைப்பிரிவு அமைத்ததுள்ளது. இதற்கு CR2 மற்றும் DTCP அனுமதி பெறாமல் சுற்றுசூழல் பாதுகாப்புச் சட்டம் - 1986 -யீறி அமைத்துள்ளது.

மேற்படி மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனத்தினர் மரக்காணம் வடக்கு கிராமம் மந்தைவெளி (அரசு புறம்போக்கு) புல எண்: 192-இல் ஆக்கிரமித்து 60 அடி தார் சாலை அமைத்துள்ளனர். மேற்படி சாலையினை வழியாக காண்பித்து 4732/2015 உள்ளிட்ட ஆவணங்களின்படி சுமார் 1000 மனைகள் விற்பனை செய்யப்பட்டுள்ளது.

மேலும், கோரிக்கை 2-இல் தெரிவிக்கப்பட்ட புல எண்களில் எங்கள் நிறுவனத்திற்கும் உரிமையான நிலங்கள் உள்ளன. இவற்றில் எங்கள் நிறுவனத்திற்கு தெரியாமல் உட்பிரிவு செய்து பட்டா மாற்றம் செய்யப்பட்டதற்கு ஆட்சேபனை தெரிவித்து திண்டிவனம் கூடுதல் உரிமையியல் நீதிமன்றத்தில் வழக்கு எண்: O.S.No. 3/2021 -ன்படி தொடரப்பட்ட வழக்கு நிலுவையில் உள்ளது.

மேலும், மரக்காணம் (வ) கிராமத்தில் நாங்கள் உரிமை பெற்ற புலங்களான 195/4A, 195/4B மற்றும் 195/4C ஆகியவற்றில் அத்துமீறி மஞ்சு பவுண்டேஷன்ஸ் நிறுவனத்தினர் பாதை அமைத்துள்ளனர்.

சுற்றுசூழல் பாதுகாப்பு சட்டம் - 1986-ற்கு புறம்பான வகையில் மேற்படி நிறுவனத்தினர் மனைப்பிரிவு அமைத்தது தொடர்பாக LDistrict Level Coastal Zone Management Authority, Viluppuram District , Proc.No. F.A/CRZ/DLMA/VPM/2016, Date: 11.06.2016 - கடிதத்தின்படி மஞ்சு பவுண்டேஷன்ஸ் நிறுவனத்திற்கு விளக்கம் கேட்டு நோட்டீஸ் அனுப்பப்பட்டது. இதற்கு இந்நிறுவனம் மேற்படி இடத்தில் எவ்வித முன்னேற்ற பணிகளும் மேற்கொள்ளாமாட்டோம் என 11.07.2016 நாளிட்ட கடிதத்தின் வாயிலாக பதிலளித்திருந்தனர். இருப்பினும் மேற்படி இடத்தில் மனைப்பிரிவு அமைத்து விற்பனை செய்துள்ளனர். மேற்படி இடத்தில் ஆவணப்பதிவு மேற்கொள்ளக்கூடாது என ஆட்சேபனை தெரிவித்து 25.02.2022 அன்று சார்பதிவாளர் அலுவலகத்தில் கடிதம் அளிக்கப்பட்டுள்ளது,

வழிப்பாதை இல்லாத நிலத்தில் சட்டத்திற்கு புறம்பாக மாவட்ட பதிவாளர் மூலம் மனையாக வழிகாட்டி மதிப்பு பதிவு செய்யப்பட்டுள்ளது.

CRZ அனுமதி பெறாத கடற்கரை ஓட்டிய பகுதிகளில் மின்இணைப்பு வழங்கப்பட்டுள்ளது. இதற்கு மின்வாரியம் மூலம், 02.05.2022 நாளிட்ட கடிதத்தில் கிராம நிர்வாக அலுவலர் சான்றின்படி வழங்கப்பட்டுள்ளது என தெரிவிக்கப்பட்டுள்ளது.

இந்நேர்வில், உதவி இயக்குநர் நகர ஊரமைப்பு இயக்ககம் மூலம் மரக்காணம் பேரூராட்சி செயல் அலுவலருக்கு மேற்படி மனைப்பிரிவு கற்கள் அகற்ற உரிய நடவடிக்கை மேற்கொள்ள தெரிவிக்கப்படும், நடவடிக்கை மேற்கொள்ளப்படவில்லை.

மேலும், மனைப்பிரிவு குறித்து மத்திய கடற்கரை பாதுகாப்பு மண்டல அலுவலகத்தில் எவ்வித அனுமதியும் வழங்கவில்லை என தெரிவிக்கப்பட்டுள்ளது என குறிப்பிட்டுள்ளார்.

எதிர் மனுதாரர், சென்னை -600 083, அசோக் நகர், முதல் அவென்யு, 8/57, சப்தஸ்வரா அபார்ட்மென்ட்ஸ், தி/ள். மஞ்சு பவுண்டேசன்ஸ் பிரைவேட் லிமிடெட், என்ற நிறுவனத்தின் கையொப்ப பிரதிநிதி, திரு. R.கணேசன் என்பவர் 10.10.2022 அன்று ஆஜராகி பின்வருமாறு வாக்குமூலம் அளித்துள்ளார்.

மரக்காணம் வட்டம், மந்தைவெளி புறம்போக்கு புல எண் 192/-ற்கும் தாங்கள் மனைபிரிவு அமைத்துள்ள இடத்திற்கும் எவ்வித சம்பந்தமும் இல்லை. மேலும், எதிர் மனுதாரர் தெரிவித்துள்ள சார்பதிவாளர் அலுவலக ஆவண எண்: 4732/2015 -ன்படி எங்கள் நிறுவனம் மூலம் திரு. சதீஷ் த-பெ பழனிசாமி என்பவருக்கு கிரைய ஆவணம் பதிவு செய்யப்பட்டுள்ளது. இதில் அரசு சொந்தமான நிலங்கள் ஏதும் பாதையாக குறிப்பிடப்படவில்லை.

மரக்காணம் (வடக்கு) கிராமம், புல எண்கள் 189/3 - 1.36.0 ஹெக்டேரில் 03 சென்ட், புல எண் 190/- 5.73.0 ஹெக்டேர், 193/- 2.10.0 ஹெக்டேர் மற்றும் 194/- 4.32.0 ஹெக்டேர் ஆகியன ஒருங்கிணைத்து 5.07<sup>1</sup>/<sub>2</sub> ஏக்கர் நிலம், கிரைய ஆவணத்தின்பேரில் கல்னா & பெட்ரோ & மெட்ரஸ் டெவலப்மென்ட்ஸ் பிரைவேட் லிமிடெட் நிறுவனத்தின் பெயரில் பட்டா மாற்றம் செய்யப்பட்டுள்ளது. மேற்படி நிறுவனங்களிடமிருந்து எங்களது தி/ள். மஞ்சு பவுண்டேசன்ஸ் பிரைவேட் லிமிடெட் நிறுவனம் கிரைய ஒப்பந்தம் ஏற்படுத்திக்கொண்டுள்ளது. தாங்கள் கிரையம் பெற்றவாறே மேற்படி புல எண்களை ஒருங்கிணைத்து எதிர் மனுதாரரும் 037 சென்ட் கிரையம் பெற்றுள்ளார். அதற்கு 193/2 என புல எண் ஒதுக்கீடு செய்யப்பட்டுள்ளது. இதில் எங்கள் நிறுவனம் சார்பாக எவ்வித ஆக்கிரமிப்புமேற்கொள்ளப்படவில்லை.

எங்களது நிறுவனம் கிரைய ஆவணம் மற்றும் ஒப்பந்தத்தின் அடிப்படையில் பெறப்பட்ட நிலத்திலேயே மனைப்பிரிவு அமைக்கப்பட்டுள்ளது. அரசு நிலத்தினையோ (அ) மற்றவர் நிலத்தினையோ ஆக்கிரமித்து மனைப்பிரிவு அமைக்கவில்லை.

மேலும், மேற்படி புலங்களில் மனைப்பிரிவின் பெயரில் பதிவு ஆவணங்கள் மேற்கொள்ளப்பட்டதால், மாவட்ட பதிவாளர் மூலம் நிலமதிப்பிலிருந்து மனைமதிப்பாக வழிகாட்டி பதிவேட்டில் மாற்றம் செய்யப்பட்டது.

பாதை அமைக்கப்பட்டுள்ள புல எண் 195/4A தொடர்பாக எங்கள் நிறுவனத்திற்கும் ஒப்பந்தம் செய்துகொண்ட பட்டாதாரருக்கும் தற்சமயம் ஏற்பட்டுள்ள பிரச்சினை தொடர்பாக நீதிமன்றத்தில் வழக்கு தொடரப்பட்டுள்ளது.

District Level Coastal Zone Management Authority, Viluppuram District , Proc.No. F.A/CRZ/DLMA/VPM/2016, Date: 11.06.2016 -ன் வரப்பெற்ற அறிவிப்பு கடிதத்திற்கு எங்களது நிறுவனம் சார்பாக 11.07.2016 நாளிட்ட கடிதத்தில் சம்பந்தப்பட்ட துறையில் அனுமதி பெற்று மனைபிரிவு அமைக்கப்படும் என பதில் அனுப்பப்பட்டது. மேலும், அங்கிகாரம் பெறாத மனைபிரிவுகளில் 21.10.2016-ம் நாள் முதல் ஆவணபதிவு செய்யக்கூடாது என அரசாணை வெளியிடப்பட்டுள்ளது. இதனால் மேற்படி இடத்தில் பதிதாக மனை விற்பனை மேற்கொள்ளப்படவில்லை. ஏற்கனவே மனைகிரையம் பெற்றவர்கள் மறுகிரையமாக எங்களிடமே விற்பனை செய்தது மட்டுமே ஆவணப்பதிவு செய்யப்பட்டது.

மேலும், 11.07.2016 -ற்கு முன்பு எங்களது நிறுவனம் மூலம் விற்பனை செய்யப்பட்ட பதிவு ஆவணங்களில், மனைகளின் வழிப்பாதையாக எங்களுக்கு சொந்தமான பட்டா நிலம் மட்டுமே காண்பித்து விற்பனை செய்யப்பட்டது. அரசு புறம்போக்கு நிலங்கள் வழிப்பாதையாக காண்பிக்கப்படவில்லை.

Binaya Beach, Bhavishya Beach, Bhavita Beach ஆகியவற்றில் 11.07.2016 பிறகு எவ்வித மின்இணைப்பும் மஞ்சு பவுண்டேஷன் பிரைவேட் லிமிடெட் நிறுவனத்தால் பெறப்படவில்லை. தற்சமயம் அங்கு மின்இணைப்பு நடைமுறையில் இல்லை. DTCP அனுமதி பெற்ற மனைபிரிவு புல எண் 188-இல் மின் இணைப்பு பெறப்பட்டுள்ளது.

மேற்படி இடத்தில் வளைப்பு மற்றும் தகர சீட் கொட்டகைகள் ஆகியன தற்சமயம் ஏதுமில்லை.

எனவே, எதிர் மனுதாரர் தெரிவித்துள்ள அனைத்து குற்றசாட்டுகளும், வியாபார போட்டியின் காரணமாகவும், காழ்ப்புணர்ச்சியின் காரணமாகவும் தெரிவிக்கப்பட்டவையாகும், மாவட்ட ஆட்சியரின் உத்தரவை மீறியும் அரசு விதிகளுக்கு புறம்பாகவும் எவ்வித பணிகளும் மேற்படி புல எண்களில் மேற்கொள்ளப்படவில்லை எனவும் இவ்வழக்கினை தள்ளுபடி செய்ய உரிய ஆவணம் செய்யுமாறும் எங்களது நிறுவனம் சார்பாக கேட்டுக்கொள்கிறேன்.

மரக்காணம் வட்டம், மரக்காணம் (வடக்கு) கிராமம், கிராம நிர்வாக அலுவலர் மற்றும் கிராம உதவியாளர் ஆகியோர் வாக்குமூலத்தில் கீழ்க்கண்டவாறு தெரிவிக்கப்பட்டுள்ளது.

மரக்காணம் வட்டம். மரக்காணம் வடக்கு கிராமம், நில உடைமை மேம்பாட்டுத்திட்ட கணக்குகளை பரிசீலனை செய்ததில் மேற்படி மாண்பமை உயர்நீதிமன்ற உத்தரவில் தெரிவிக்கப்பட்டுள்ள புல எண்கள் 188/-, 189/-, 190/-, 191/-, 195/-, 211/-, 212/-, 194/-, 195/-, 196/- 210/-, 213/-, 192/, 193/-, 194/- 174/9, மற்றும் 174/21 ஆகியவற்றில் புல எண் 192/- தவிர்ந்து மற்ற அனைத்து புல எண்களும் பட்டா நிலமாக "அ" பதிவேட்டில் பதிவுசெய்யப்பட்டுள்ளது. புல எண் 192/- 1.12.0 ஹெக்டேர் மந்தைவெளி புறம்போக்கு என கிராம கணக்கில் பதிவாகியுள்ளது.

மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் தெரிவித்துள்ள புல எண்களில் ஒரு பகுதியில் மனைப்பிரிவு, மனைப்பிரிவு பாதை அமைத்து உள்ளனர் மீதியுள்ள இடம் கரம்பாக உள்ளது புலத்தணிக்கையில் தெரியவருகிறது.

மேற்படி அரசு மந்தைவெளி புறம்போக்கு புல எண் 192/- 1.12.0 ஹெக்டேரில் எவ்வித மனைபிரிவு தொடர்பான எவ்வித கட்டமைப்புகளும் இல்லை.

எனவே, மாண்பமை உயர்நீதிமன்ற தீர்ப்புரையில் தெரிவிக்கப்பட்டுள்ள புல எண்களில் அரசு புறம்போக்கு நிலங்கள்(புல எண் 192 தவிர), கடற்கரை புறம்போக்கு நிலங்கள் என எவ்வித புறம்போக்கு நிலங்களும் இல்லை. மேலும், இந்நிறுவனம் தங்களுக்கு சொந்தமான நிலங்களிலேயே மனைபிரிவு அமைத்துள்ளது விசாரணை மற்றும் புலத்தணிக்கையில் தெரியவருகிறது.

மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனத்தினர் தங்களுக்கு சொந்தமான நிலங்களில் உள்ள சிறுசிறு மணல்தட்டுகள் சமன்படுத்தும் பணிகள் மேற்கொள்ளப்பட்டுள்ளது. மேற்படி புலங்கள் கடற்கரையின் உயர் அலைக் கோட்டிலிருந்து (H.T.L) 500 மீட்டர் தொலைவிற்கு அப்பால் உள்ளது.

மேற்படி வாக்குமூலங்கள் மற்றும் தொடர்புடைய ஆவணங்கள் கவனமுடன் பரிசீலனை செய்ததில் கீழ்க்கண்ட விவரங்கள் தெரியவருகிறது.

➤ மரக்காணம் வட்டம், மரக்காணம் (வடக்கு) கிராமத்தில் தி/ள்.மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனம் கீழ்க்கண்டவாறு விவரப்படியான நிலங்களை கிரையம் மற்றும் ஒப்பந்தம் பெற்றுள்ளனர்

வ.எண்	புல எண்	கிரைய ஆவண எண் மற்றும் நாள்	கிரையம் பெற்ற நபர் பெயர்	பட்டாவின்படி உரிமையாளர் விவரம்	குறிப்பு
1	188/- 189/- இல்	3061/2019, 12.12.2019	தி/ள். மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட்	2668, மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட்	44/2021, 07.07.2021-ன்படி புல எண்: 188-இல் நகர் ஊரமைப்பு இயக்ககத்தின் அனுமதி பெறப்பட்டுள்ளது.
2	மேலும் 189/- மற்றும் 190/- 194/- 195/- 196/- 210/- இல் 211/- 212/-	3972/2015, 04.11.2015 3603/2015, 16.10.2015	தி/ள். மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட்	2218, 2220,2257, 2258 கலனா & பெட்ரோ & மெட்லஸ் டெவலப்பர்ஸ் பி.லிட்.	பட்டா நிலமாக கிராம கணக்குகளில் பதிவாகியுள்ளது,
3	174/9 174/21	1613/2012, 05.07.2012	தி/ள். பெட்ரோ டெவலப்பர்ஸ்	2219 தி/ள். பெட்ரோ டெவலப்பர்ஸ் பி.லிட்.	இப்புல எண்கள் மஞ்சு குரூப் நிறுவனம் மூலம் புரிந்துணர்வு ஒப்பந்த ஆவணம் பதிவு செய்யப்பட்டுள்ளது.

- மரக்காணம் வட்டம், மரக்காணம் (வடக்கு) கிராமம் மந்தைவெளி புறம்போக்கு புல எண் 192/-ல் ஏற்கனவே செய்யப்பட்டிருந்த ஆக்கிரமிப்புகள் 2016-ஆண்டிலேயே அகற்றப்பட்டது. ஆக்கிரமிப்பு அகற்றப்பட்ட நாளிலிருந்து மேற்படி புலம் அரசின் கட்டுப்பாட்டில் உள்ளது. தற்சமயம்வரை மேற்படிஇடத்தில் எவ்வித ஆக்கிரமிப்பும் மேற்கொள்ளப்படவில்லை.
- மனுதாரர் வாக்குமூலத்தில் தெரிவித்துள்ள சார்பதிவாளர் அலுவலக ஆவண எண்: 4732/2015 -ன்படி எங்கள் நிறுவனம் மூலம் திரு. சதீஷ் த-பெ பழனிசாமி என்பவருக்கு செய்யப்பட்ட அரசு சொந்தமான நிலங்கள் ஏதும் வழிப்பாதையாக கிரைய ஆவண பதிவில் குறிப்பிடப்படவில்லை.
- மரக்காணம் (வடக்கு) கிராமம், புல எண்கள் 189/3 - 1.36.0 ஹெக்டேரில் 03 சென்ட்-ம் , புல எண் 190/- 5.73.0 ஹெக்டேர் 193/- 2.10.0 ஹெக்டேர் 194/- 4.32.0 ஹெக்டேர் ஆகியன ஒருங்கிணைத்து 5.07<sup>1</sup>/<sub>2</sub> ஏக்கர் நிலம், கலீனா & பெட்ரோ & மெட்ரீஸ் டெவலப்மென்ட் பி.லிட். நிறுவனத்தின் பெயரில் கிரைய ஆவணத்தின்பேரில் பட்டா மாற்றம் செய்யப்பட்டுள்ளது. மேற்படி நிறுவனங்களிடமிருந்து தி/ள். மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனம் கிரைய ஒப்பந்தம் செய்துள்ளது. மேற்படி நிறுவனத்தினர்கள் கிரையம் பெற்றவாறே புல எண்களை ஒருங்கிணைத்து மனுதாரரும் 037 சென்ட் கிரையம் பெற்றுள்ளார் அதற்கு 193/2 என புல எண் ஒதுக்கீடு செய்யப்பட்டுள்ளது.
- மனைப்பிரிவிற்கு பாதை அமைக்கப்பட்டுள்ளதாக தெரிவிக்கப்பட்ட புல எண் 195/4A உரிமை தொடர்பாக இருதரப்பினரும் நீதிமன்றத்தை அணுகியுள்ளனர்.
- District Level Coastal Zone Management Authority, Viluppuram District , Proc.No. F.A/CRZ/DLMA/VPM/2016, Date: 11.06.2016 -ன்படி சுற்று சூழல் பாதுகாப்பு சட்டம் - 1986-ற்கு புறம்பான வகையில் மனைப்பிரிவு அமைக்கப்பட்டது தொடர்பாக மேற்படி மஞ்சு பவுண்டேஷன்ஸ் நிறுவனத்திடம் விளக்கம் கோரப்பட்டதில், 11.07.2016 நாளிட்ட கடிதத்தில் சம்பந்தப்பட்ட அரசு துறைகளிடம் உரிய அனுமதி பெறும்வரை எவ்வித கட்டமைப்பு பணிகளும் மேற்கொள்ள மாட்டோம் என எதிர் மனுதாரர் பதிலளித்துள்ளார்.

- மேலும், மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனம் மனைபிரிவு பத்திரபதிவு செய்தல் தொடர்பாக DTCP அனுமதி கோரி அளித்துள்ள மனு விசாரணையில் உள்ளதாக மேற்படி நிறுவனம் சார்பாக தெரிவிக்கப்பட்டது.
- உரிய அனுமதி பெறாத இடத்தில் மின்வாரியம் மூலம் மின்இணைப்பு வழங்கப்படவில்லை என்பது விசாரணையின்படி தெரியவருகிறது.
- மஞ்சு பவுண்டேஷன்ஸ் லிமிடெட் நிறுவனம் தங்களுக்கு சொந்தமான பட்டா புல எண்களில் தேவைக்காக மணல்திட்டிகள் சமன் செய்யப்பட்ட இடம், கடல் மட்டத்திலிருந்து 500 மீட்டர் தொலைவிற்கு அப்பால் உள்ளது என்பதும் விசாரணையின்படி தெரியவருகிறது.
- மனுதாரர் புகார் தெரிவித்துள்ள ஆட்சேபனைக்குரிய புலங்களில் தகரசீட் கொட்டகைகள் மற்றும் வளைப்புகள் ஏதும் தற்சமயம் இல்லை.
- மனுதாரர் ஆட்சேபனை தெரிவித்துள்ள புல எண்கள் 180/(பா), 181/(பா), 188, 189, 190, 193, 194, 195, 196, 210, 211, 212, 213, 174/9 மற்றும் 174/21 ஆகியவற்றில் புல எண் 188 -இல் DTCP அனுமதி பெறப்பட்டுள்ளது. 180/(பா), 181/(பா), 189, 190, 193, 194, 196, 174/9 மற்றும் 174/21 கடற்கரையின் உயர் அலை கோட்டிலிருந்து 500 மீட்டர் தொலைவிற்கு அப்பால் உள்ளது. புல எண்கள் 195, 196, 210, 211, 212, 213 உயர் அலை கோட்டிலிருந்து (H.T.L) 500மீட்டர் தொலைவிற்குள் உள்ளது. அனுமதியற்ற மனைபிரிவுகளில் மனையாக பத்திர பதிவு மேற்கொள்ளக்கூடாதென தமிழக அரசு அரசாணை வெளியிட்டுள்ளதால் 21.10.2016 முதல் பத்திர பதிவுகள் மேற்கொள்ளப்படவில்லை.

மஞ்சு பவுண்டேஷன்ஸ் பிரைவேட் லிமிடெட் நிறுவனத்திற்கு தங்களுக்கு சொந்தமான நிலங்களில் உள்ள சிறுசிறு மணல்திட்டிகள் சமன்படுத்தப்படுத்தப்பட்டுள்ளது. மேற்படி சமன்படுத்தப்பட்ட புலங்கள் கடற்கரையின் உயர் அலைக் கோட்டிலிருந்து (H.T.L) 500மீட்டர் தொலைவிற்கு அப்பால் உள்ளன.

மரக்காணம் வட்டம், மரக்காணம் (வடக்கு) கிராமம் மந்தைவெளி புறம்போக்கு புல எண் 192/ல் ஏற்கனவே செய்யப்பட்டிருந்த ஆக்கிரமிப்புகள் 2016-ஆண்டிலேயே அகற்றப்பட்டது. ஆக்கிரமிப்பு அகற்றப்பட்ட நாளிலிருந்து மேற்படி புலம் அரசின் கட்டுப்பாட்டில் உள்ளது. தற்சமயம்வரை மேற்படி இடத்தில் எவ்வித ஆக்கிரமிப்பும் மேற்கொள்ளப்படவில்லை.

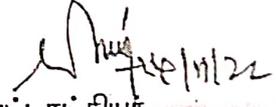
புல எண்கள் 211/5, 189/3, 190, 193, 194, 189/4, 195/4, 211/2, 210/4, 186/1, 214/1, 214/2, 21/4C மற்றும் 215/- ஆகியவற்றில், புல எண் 186/1 தவிர மற்ற புல எண்கள் கலீனா & பெட்ரோ & மெட்டீஸ் டெவலப்மென்ட் பி.லிட். ஆகிய நிறுவனங்களின்பேரில் மரக்காணம் வடக்கு கிராம கணக்குகளில் பட்டவாக பதிவாகியுள்ளது. இதில் மனுதாரர் கிராமம் பெற்ற நிலமும் சேர்த்து பட்டா மாற்றம் செய்யப்பட்டதாக ஆட்சேபனை தெரிவித்துள்ளது தொடர்பாக நிலஅளவை மேற்கொண்டு அதனடிப்படையில் நடவடிக்கை மேற்கொள்ள இருதரப்பிரணமும் 10.10.2022 அன்றைய விசாரணையில் சம்மதம் தெரிவித்திருந்தனர். அதன்பின்பு மனுதாரர் இது குறித்து நீதிமன்றத்தின்

வாயிலாக தீர்வு காண உள்ளதாக தெரிவித்து நிலஅளவைக்கு ஆஜராகவில்லை. எனவே, நில அளவை பணி மேற்கொள்ளப்படவில்லை.

மேலும், மனுதாரர் ஆட்சேபனை தெரிவித்துள்ள மரக்காணம் (வடக்கு) கிராமம் புல எண்கள் 180/(பா), 181/(பா), 189, 190, 193, 194, 195, 196, 210, 211, 212, 213, 192, 174/9 மற்றும் 174/21 ஆகியவற்றில் 21.10.2016-ற்கு பிறகு மனையாக எவ்வித பத்திர பதிவும் மேற்கொள்ளப்படவில்லை என தெரியவருகிறது.

2016-ம் ஆண்டிற்கு பிறகு DTCP அனுமதி பெற்று மனைபிரிவுகள் அமைக்கவேண்டும் என அரசு உத்தரவிட்டுள்ளதால், இம்மனைபிரிவுகளில் மேற்படி அரசு விதிமுறைகளை பின்பற்றி ஆவண பதிவு மேற்கொள்ளுமாறு மரக்காணம் சார்பதிவாளர் கேட்டுக்கொள்ளப்படுகிறார். மேற்படி அரசு விதிகளின்படியே மின்வாரியம் மற்றும் பேரூராட்சி நிர்வாகத்தினர் மின் இணைப்பு மற்றும் கட்டிட வரைபட அனுமதி வழங்க வேண்டும் என தெரிவிக்கப்படுகிறது.

எனவே மாண்பும உயர்நீதிமன்ற வழக்கு எண்: W.P. No. 12675/2016, நாள்: 14.07.2022-ன்படி வழங்கப்பட்ட தீர்ப்புரையின்படி மேற்கண்டவாறு கள நிலவரமும், நடவடிக்கை விவரமும் மனுதாரருக்கு தெரிவிக்கப்படுகிறது. மேலும், இந்த நடவடிக்கையினால் பாதிக்கப்படுவதாக கருதும் எவர் ஒருவரும் உரிய உரிமையியல் நீதிமன்றத்தை அணுகி பரிகாரம் தேடிக்கொள்ளலாம் என இதன்மூலம் தெரிவிக்கப்படுகிறது.

  
வட்டாட்சியர்,  
மரக்காணம்.

பெறுநர்:

  
9/4/11/2

1. M/s/ Aaravika Holdings,  
Rep. by its Partner Mr. Dinesh N Surana,  
S/o, N.K. Suranan, 72 Harleys Road,  
Kilpauk, Chennai - 600 010.

1. தி/ள். மஞ்சு பவுண்டேசன்ஸ் பிரைவேட் லிமிடேட்,  
8/57, சப்தஸ்வரா அபார்ட்மென்ட்ஸ்,  
முதல் அவென்யு, அசோக் நகர், சென்னை -600 083

3. மாவட்ட ஆட்சியர் விழுப்புரம் அவர்களுக்கு பணிந்தனுப்பப்படுகிறது.

4. மாவட்ட கடலோர மண்டல மேலாண்மை ஆணையம்,  
மாவட்ட ஆட்சியர் அலுவலக வாளகம்,  
விழுப்புரம்.

5. செயல் அலுவலர், மரக்காணம் பேரூராட்சி,  
பாண்டி ரோடு, மரக்காணம்.

6. சார்பதிவாளர்,  
மரக்காணம்.

7. உதவி இயக்குநர்,  
நகர ஊரமைப்பு இயக்ககம்,  
விழுப்புரம் மண்டலம்  
TADCO Building,  
G.H.ரோடு, விழுப்புரம் - 605 602

8. செயற்பொறியாளர்,  
மின்வாரியம், மரக்காணம்.

நகல்: பதிவாளர்,  
மாண்புமிகு சென்னை உயர்நீதிமன்றம் சென்னை - தகவலுக்காக பணிநிதனுப்பப்படுகிறது.

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From:

1. Nagarajan. P  
S/o. Late Mr. Ponnurangan
2. L. Prasad,  
S/o. Mr. K.P. Loganathan,  
Both at, 2/387, Singaravelan Street,  
Opposite Community Hall,  
Chinna Neelangarai, Ch-115.  
Mob:- 99624 05030  
Email:- N.premkumar0410@gmail.com

by SPAD Dt:27.02.2023

To,

1. The Ministry of Environment,  
Forest and Climate Change  
Rep. by its Secretary,  
Indira Paryavaran Bhavan  
Jorbagh Road New Delhi - 110 003.
2. State Environment Impact Assessment  
Authority (SEIAA)  
Tamil Nadu,  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No. 1, Jeenis Road, Saidapet,  
Chennai- 600 015.
3. The Member Secretary,  
Tamil Nadu Coastal Zone Management Authority,  
Panagal Building, Saidapet, Chennai. 2
4. The District Collector, Villupuram, cum Chairman  
District Coastal Zone Management Authority,  
Collector Office Rd, Moovendar Nagar,  
Viluppuram, Tamil Nadu 605602
5. The Housing Secretary,  
O/o. The Housing Secretary,  
Secretariat, Ch-09.
6. The Director, DTCP,  
2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> floor,  
C & E, Market road,  
Koyambedu, CH-107.
7. The Deputy Director, DTCP  
G.H Road, TADCO Building,  
Villupuram Dt.
8. Tami Nadu Pollution Control Board,  
Rep. by its Chairman

x R.P. Anand  
x L. Prasad

64  
76, Mount Salai, Guindy,  
Chennai - 600 032.

9. Tamil Nadu Pollution Control Board,  
Rep. by its District Environmental Engineer,  
District Collector Master Plan Complex,  
Back Side of Taluk Office,  
Villupuram - 605 602.

10. M/s. Manju Foundations Private Limited  
Represented by Mr. Vidhya Sagar,  
8/57, Sapthaswara Apartments,  
Ashok Nagar, Chennai-83.

Sir(s)/ Madam(s),

Ref: 180 Acres ongoing illegal coastal project in Marakkanam North Village,  
Marakkanam Taluk by M/s. Manju Foundations Private Limited.

Sub: Removal of illegal layout road and plot development over our coastal lands  
in S. No. 195/4A(Pt), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.) and 211/1B1A(Pt.)  
admeasuring about 1.70 Acres belonging to us in Marakkanam North Village by  
encroachment and criminal trespass by M/s. Manju Foundations Private Limited.

With reference to the above, it is submitted as follows: -

1. The first of us herein and the father of the second of us herein are the owners  
of the lands in S. No. 195/4A(Pt), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.)  
and 211/1B1A(Pt.) admeasuring about 1.70 Acres, situated in Marakkanam  
North Village, Marakkanam Taluk, Villupuram Dt. These lands had been  
purchased by us vide document number 43/1990 and 1143/1990 duly  
registered at SRO Marakkanam.
2. Since Mr. Loganathan is unwell, this petition has been presented by Mr.  
Prasad, his son and authorized person.
3. Originally the Executive officer, Marakkanam Town Panchayat had issued  
notices dated 29.10.2015 and 11.01.2016 addressed to M/s. Manju  
Foundations Private Limited regarding the illegal developments made by the  
said company without obtaining CRZ clearance and DTCP approval over  
various S. No.s.
4. Part of the lands over which these illegal developments, i.e. the lands in S.  
No. 195/4A(Pt), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.) and 211/1B1A(Pt.)

*[Handwritten Signature]*

admeasuring about 1.70 Acres, situated in Marakkanam North Village, Marakkanam Taluk, Villupuram Dt., belong to the first of us herein and the father of the 2<sup>nd</sup> of us herein.

5. In fact, Part of the lands in S. No. 211/1B1A measuring about 53 cents has been fraudulently converted into a layout and partly sold by M/s. Manju Foundations Private Limited in connivance with M/s. Vatika Group, hence we have preferred a petition before the District Registrar, Thindivanam for cancellation of the fraudulent documents and we have also preferred a complaint dated 27.12.2022 before the Superintendent of Police, Villupuram.
6. That we are fisherman and illiterate persons belonging to financially weaker section and senior citizens who are incapable of fighting the fraudulent promoter company which is a corporate fraud.
7. Upon legal advice, we have realized that our lands fall within CRZ Zone and are not capable of any development as per the CRZ laws, M/s. Manju Foundations has trespassed into our lands and laid layout roads and plots despite our objection and resistance.
8. Recently we had obtained knowledge of the above referred notices issued by the Executive Officer, Marakkanam Town Panchayat, the copies of which are annexed to this letter. Based on the knowledge of the same, the first of us herein had issued a reply letter dated 10.11.2022 to the Executive officer, Marakkanam Town Panchayat, seeking to comply with his own notice dated 29.10.2015 and 11.01.2016 and unconditionally accepted removal of the illegal developments made over our lands.
9. Despite our representation dated 10.11.2022 the Executive Officer, preferred not to take any action. Hence, we preferred a petition dated 27.12.2022 before the Housing Secretary, The Director, DTCP and the Deputy Director, DTCP, however, till today no action has been taken by these authorities. Despite our sincere pleadings and request.

\* K.P. Anandaram

\* L.P. Anandaram

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10. When we visited the office of the Deputy Director, DTCP, Villupuram on 04.01.2023, we were badly received and ill-treated and there was no response forthcoming.
11. We are senior citizens and reserve our valuable rights to deal with our lands in a manner desired by us, however we are being arm twisted and harassed by M/s. Manju Foundations Private Limited which is preventing us from entering our lands by locking the large gate installed by it over the 60' approach road in S. No. 181/5B3 by preventing access and controlling the public road as private drive way by appointing security guards and on the other hand, M/s. Manju Foundations through its persons is cooling indulging in various acts of CRZ violations and also indulging in land grabbing. Since we own lands and reserve our right to access to the same, we preferred a petition dated 28.12.2022 for removal of encroachment over public road in S. No. 181/5B3 and for access through the same. However, all the government officers are silent when it comes to matters relating to M/s. Manju Foundations.
12. It is submitted that the layout township, more particularly the layout name Bhinaya Beach and Bhavishya Beach are developed by encroaching on our private lands and by violating the CRZ rules without obtaining any environment clearance a total extent of about 180 Acres is promoted as per the marketing brochure of the company.
13. For the purpose of promotion of the illegal layout, the sand dunes in the entire area has been levelled and this illegal development is taking a toll on the ecology of the village as the neighboring sites are also being affected because of various illegal developments in the lands in S. No. 210, 211, 212, 194, 195, 189, 196 of Marakkanam North Village by M/s. Manju Foundations Private Limited and nobody is able to stand a chance this company as they have all the officials in their pocket.
14. At the risk of repetition, it is asserted that we have never consented for formation of any layout on our coastal lands which fall within CRZ-III and no development zone, in fact when we resisted the illegal developments,

*[Handwritten signature]*

*[Handwritten text]*

even police complaint was given against us by M/s. Manju Groups with the intention to coerce us and silence us. Originally, the entire site is eco-sensitive with sand dunes but the Promoter company had destroyed the same, flattened the lands and is promoting our lands and other surrounding lands without any approval from any of the authorities.

15. As senior citizens and aggrieved and affected persons, we hereby file this letter petition for removal of encroachment on our lands by violation of CRZ laws.
16. We reserve our right to protect and enjoy our valuable lands in a manner desired by us, but we are not even allowed to enter the project component which illegally bears our valuable lands as a part of the illegal layout.
17. No action has been taken pursuant to our reply letter dated 10.11.2022 and the consequent petition dated 27.12.2022 and 28.12.2022, if the law of the land is not enforced, the law itself would be rendered useless and such unscrupulous elements will be further emboldened. Hence it is most respectfully prayed that;
  - (a) The 1<sup>st</sup> to the 9<sup>th</sup> of you may act as per law and ensure that the illegal coastal developments pertaining to the lands in S. No. 195/4(Part) and 211/1(Part) (of Marakkanam North Village), being parts of the lands over which M/s. Manju Foundations Private Limited has *no lawful right, title and interest* shall be restored to its original form as "sand dunes" and about the same, the fraudulent company cannot have any grievance and in the event, the illegal developments over our lands are not removed and the coastal lands are not restored as *sand dunes* again, within 15 days of the date of this representation, we will be constrained to approach the National Green Tribunal, Southern Bench, seeking appropriate relief and action and the mute spectators & violators will be jointly and personally held liable for the costs and consequences arising thereof.

V. R. P. Manjula

& L. P. Manjula

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- (b) The 5<sup>th</sup> to the 7<sup>th</sup> of you may be pleased to order removal of the large gates and security room installed over the 60' public road formed over lands in S. No. 181/5B3 of Marakkanam North Village, failing which we will be constrained to approach the Hon'ble Madras High Court at your cost.
- (c) We also hereby call upon M/s. Manju Foundations Private Limited represented by Mr. Vidhya Sagar to pay a sum of Rs. 1,00,00,000/- (Rupees One Crore) as compensation for victimizing us, for the harassment and loss caused to us, for making the illegal developments on our lands for unlawfully enriching itself at our cost. In case the said compensation amount is no paid within 15 days of this letter, we will be constrained to initiate separate proceedings for the same before the appropriate court.

Yours faithfully,

*K.P. Nagarajan*

P. Nagarajan

*L. Prasad*

L. Prasad

(Son and Authorized person of Mr. K.P. Loganathan)

Enclosed: -

1. Copy of reply Letter dated to the notice dated 10.11.2022 with copy of the notices dated 29.10.2015 and 11.01.2016.
2. Copy of Petition dated 27.12.2022 & 28.12.2022.

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## FIRST INFORMATION REPORT

முதல் தகவல் அறிக்கை  
(Under Section 154 Cr.P.C)  
(கு.ந.வி.தொ.பிரிவு 154 இன் கீழ்)

TAMIL NADU POLICE  
INTEGRATED INVESTIGATION FORM-I

126(0786)

C

1. District: VILLUPURAM

PS: MARAKKANAM

Year: 2023 FIR No. 561

Date: 08-10-2023

மாவட்டம்

காவல் நிலையம்

ஆண்டு

மு.ந.அ. எண்

நாள்

2. Act(s)

சட்டம்

INDIAN PENAL CODE, 1860  
INDIAN PENAL CODE, 1860

Sections  
பிரிவுகள்

406  
447  
465  
420  
379  
120B

3. (a) Occurrence of Offence Day: SUNDAY

குற்ற நிகழ்வு நாள்

Date From: 16-04-2023

Date To:

Time Period: On

நாள் முதல்

நாள் வரை

குற்ற நிகழ்வு நேரம்

Time from:

Time To:

நேரம் முதல்

நேரம் வரை

(b) Information received at PS. 08-10-2023

Date:

காவல் நிலையத்திற்கு தகவல் கிடைத்த நாள்

Time: 20.30 Hrs

நேரம்

(c) General Diary Reference: Entry No(s)

பொது நாட்குறிப்பில் பதிவு விவரம் எண்

Time:

நேரம்

4. Type of Information: WRITTEN

தகவலின் வகை

5. Place of Occurrence: (a) Direction and Distance from PS: NORTH-EAST &amp; 2.0 Km

குற்ற நிகழ்விடம் (அ) காவல் நிலையத்திலிருந்து எவ்வளவு தூரமும், திசையும்

Beat Number: BEAT I

முறைக் காவல் எண்

(b) Address: மரக்காணம் வடக்கு கிராமம் S.NO.194/4C என்ற இடம் முகவரி

(c) In case, outside limit of this Police Station, then the Name of P.S:

இக்காவல் நிலைய எல்லைக்கப்பால் நடந்து இருக்குமாயின், அந்த காவல் நிலையத்தின் பெயர்

District:

மாவட்டம்

6. Complainant/Informant (a) Name: DHINESH N SURANA

குற்றமுறையிட்டாளர் / தகவல் தந்தவர் பெயர்

(c) Date/Year of Birth: 1982

நாள் / பிறந்த ஆண்டு

(d) Nationality: INDIA

நாட்டினம்

(b) Father's/Husband's Name : SURANA

தந்தை / கணவரின் பெயர்

(e) Passport No.:

வெளிநாட்டு கடவுச்சீட்டு எண்

Date of Issue:

வழங்கப்பட்ட நாள்

Place of Issue:

வழங்கப்பட்ட இடம்

(f) Occupation:

தொழில்

(g) Address: NO.72, SARLIS ROAD, CHENNAI-10

முகவரி

7. Details of Known/Suspected/Unknown accused with full particulars

தெரிந்த / ஐயப்பாட்டிற்குரிய / தெரியாத குற்றம் சாட்டப்பட்டவரின் முழுமையான விவரங்கள்.

- 1) GOURAV BHALLA, M/S PEDRO DEVELOPERS, (P) LTD AND VATIKA GROUP
- 2) MS MANJU FOUNDATION PRIVATE LIMITED, REPRESENTED BY MR. VIDHYA SAGAR
- 3) VIDHYA SAGAR, MANAGING DIRECTOR, MANJU FOUNDATIONS
- 4) MRS SINDHUJA, DIRECTOR OF MANJU FOUNDATIONS
- 5) KUMAR, DIRECTOR, MANJU FOUNDATIONS
- 6) BALAJI [COONA BALAJI], PRESIDENT, MANJU FOUNDATIONS
- 7) GANESAN, LEGAL EXECUTIVE, MANJU FOUNDATIONS
- 8) HARI KRISHNAN, EXECUTIVE, MANJU FOUNDATIONS
- 9) SELVAM, SUPERVISOR, MANJU FOUNDATIONS
- 10) KARNAN, LOCAL HELPER, MANJU FOUNDATIONS
- 11) HANSIKA MOTWANI(D/O) PRADEEP MOTWANI, BUNGALOW NO.47, HANSIKA HOUSE, RSC-2, PARK STREET
- 12) SIRAJUDDIN(S/O) MOHAMMED SULIMAN, NO.22/B, THIRUVALLUR NAGAR, EXTENSION, CROMPET, CHENNAI-44
- 13) KALAIARASE ARUL(W/O) T C ARULPRAKASAM, 2, TAGORE STREET, KADHIR KAMAM, ANNDHA NAGAR, PONDICHERRY-605 009

8. Reasons for delay in reporting by the complainant/Informant:

குற்றமுறையிட்டாளரால் / தகவல் கொடுப்பவரால் முறையிட்டதில் தகவல் கொடுப்பதில் தாமதம்

9.2. Signatures of the complainant/Involved:

கனவாடப்பட்ட / கனவிற்குள்ளான சொத்துக்களின் விவரம்.

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10. Total value of properties stolen/Involved:  
கவரடப்பட்ட / களவிற்குள்ளான சொத்துக்களின் மொத்த மதிப்பு
11. Inquest Report/ Un-natural death Case No. If any:  
இறந்தவரின் பெயர், மூகவரி

## 12. FIR Contents :

முதல் தகவல் அறிக்கையின் சுருக்கம்.

On today 08.10.2023 at 20.30 hrs, I register the case as per the direction of Judicial Magistrate -2 court, vide D.No. 1963/2023, Dated. 05.08.2023 that stated as follows.

From: 1. Dinesh N Surana, aged 41 years, Mobile-99401 000 19 S/o N K Surana, 72, Harleys road, Ch-10, 2.P. Nagarajan, aged 62 years, Mobile-99624 05030, S/o. Late Ponnurangan, 3. Loganathan, aged 60 years, S/o. Late Ponnurangan, 2 and 3 at, 2/387, Singaravelan Street, Opposite Community Hall, Chinna Neelangarai, Ch-115. To, The Inspector of Police, F5, Marakkanam Police Station, Marakkanam Taluk, Villupuram District. Sir, Ref: Acts of land grabbing, cheating, forgery, fraudulent registration, Criminal trespass, fraudulent misrepresentation, for promotion of illegal layout by laying of 60 feet tar road and unapproved plots over lands in S. No. 195/4A, 195/4B, and in S. No. 211/1b1a of Marakkanam North Village - reg. With reference to the above, it is submitted as follows: - 1. That the first of us is the owner of the lands in S. No. 195/4A, 4B (Part) and 4C in Marakkanam North Village, having purchased the same vide document number 559/2007 from Mrs. Vijaya Lakshmi and from the 2nd and the 3rd of us vide compromise dated 17.11.2022 duly effected before the Hon'ble ADJ Thindivanam in O.S. No.211 and 213 of 2022. 2. The 2nd and 3rd of us herein are the owners of the remaining lands in S. No. 195/4B and 195/4D admeasuring 18.5 Cents, having purchased the same vide document number 1193/1990 and 43/1990, duly registered at SRO Marakkanam. 3. Originally one M/s. Manju Foundations Private Limited represented by Mr. Vidhya Sagar entered an arrangement with one M/s. Metis Developers Private Limited, Kaleema Developers Private Limited, Pedro Developers Private Limited, all the three companies are represented by Mr. Gourav Bhalla, having office at, M/s. Vatika Group, 621A, 6th Floor, Devika Towers, 6, Nehru Place, New Delhi-19. 4. In the meanwhile, the said company had approached us to purchase our lands and accordingly an agreement for sale dated 16.04.2015 was entered with M/s. Manju Foundations Private Limited by the 2nd and the 3rd of us herein. 5. Instead of paying valuable sale consideration and purchasing the lands, the said Manju Foundations

Private Limited represented by Mr. Vidhya Sagar, taking advantage of the financial difficulties, old age and low profile of the 2nd and 3rd of us herein, had illegally trespassed into our lands and grabbed our lands and formed an unapproved and illegal layout over our lands and against our wishes, promoted the same as part and parcel of the layout named "Bhinaye Beach and Bhavishya Beach" by unilaterally and illegally flattening the sand dunes and violating CRZ norms. 6. When we protested the same, the said Manju Foundations preferred a criminal complaint as against us with false allegations and obtained a CSR in CSR No. 35/2016. Since the police refused to act, the company preferred a writ petition before the Hon'ble Madras High Court in W.P. No.9904/2016, which was disposed of in the year 2019. A copy of the complaint, CSR, affidavit and the order in W.P. No. 9904/2016 is enclosed herewith. These documents convincingly prove that we have been harassed, intimidated & suppressed by the above company whenever we have spoken for our rights. 7. It is submitted that we had never given any authorization or authority to M/s. Manju Foundations Private Limited to develop/ form any layout over our lands in S. No. 195/4A(Part), 195/4B, 195/4D (Part) and in S. No. 211/1B1A(Part) admeasuring about 1.70 Acres. 8. Without the consent of the 2nd and 3rd of us herein fixation of valuation for house sites has been illegally done for the lands in S. No. 211/1B1A by the District Registrar, Thindivanam and the Sub-Registrar, Marakkanam to enable the land grabber company to sell plots in the fraudulent layout. 9. In fact, since 2015 till today, brochures have been issued and the layout is being promoted by engaging film stars, models and female celebrities, the said marketing brochure and the layout plans issued by Manju Foundations fraudulently misrepresent the valuable lands of the complainants as roads and plots. This illegal act of luring purchasers to purchase plots by trespassing and developing 60 feet layout roads and plots on our private lands and by fraudulently and deliberately showcasing our valuable lands as part of the illegal layout by virtue of formation of 60 feet tar road and plots, against our wishes amount to criminal trespass, criminal conspiracy, fraudulent misrepresentation, cheating and fraud on our valuable rights. 10. One such star is Mrs. Hansika Motwani who has consented to this scam knowing very well that tar road and plots have been formed on our private lands. Thus Mrs. Hansika Motwani has criminally conspired with Mr. Vidhya Sagar and Gourav Bhalla with the intention to defraud us and unlawfully enrich. 11. In the meanwhile, in view of the illegal developments, the Executive officer, Marakkanam Town Panchayat had issued notices

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dated 29.10.2015 and 11.01.2016 seeking removal of the unauthorised layouts. However, the company has failed to comply with the notice. 12. When the 2nd and 3rd of us obtained knowledge of the same, we have addressed a letter dated 10.11.2022 to the Executive officer Marakkanam Town Panchayat to remove the illegal layout roads on our lands. 13. When the 2nd and 3rd of us attempted to remove the illegal layout roads on 04th January 2023 as per the orders of the Executive Officer, Marakkanam, we were not allowed to enter the lands as the said company has installed large gates over public roads and has appointed 10 security guards to guard the premises to prevent access through public roads. 14. After cancelling the sale agreement and after conceding to the requirements of the Executive officer, Marakkanam Town Panchayat, the 2nd and 3rd of us have treated our lands as vacant lands and preferred to sell the same as the above company is only a land grabber and the developments are now mere encroachments by virtue of the compliance to the notices of the Executive Officer, Marakkanam Town Panchayat. 15. Thus the 2nd and 3rd of us had entered into a sale agreement with the 1st of us herein namely Mr. Dinesh N Surana, the differences between us which resulted in civil suit between us. Finally, by virtue of a compromise, the Lands in S. No. 194/4A(Part) have been sold by us to one Mr. Dinesh N Surana by virtue of compromise in O.S. No. 213/2022 before the Hon'ble Principle Sub-Judge, Thindivanam and the 2nd and 3rd of us herein have transferred the possession and the possessory rights of the same to the Purchaser. Thus, the 2nd and 3rd of us have no claim over the said lands, except for the obligation to register the same in favour of the 1st of us herein. 16. After the sale to the first of us herein, the 2nd and 3rd of us are the absolute owners of the remaining lands in New S. No. 211/1B1A measuring about 53 Cents and in S. No. 195/4B(Pt) and 4D(Pt) admeasuring about 18.5 Cents, which also the 2nd and 3rd of us have agreed to sell to Mr. Dinesh N Surana, S/o. N K Surana, at, 72, Harleys road, Chennai-10. 17. While planning for registration of lands in S. No. 211/1B1A the 2nd and 3rd of us have realised that our lands have not only been converted into illegal layouts, plots have been fraudulently registered in part of the lands in S. No. 211/1B1A. Thus, Plot numbers 49, 50, 51, 52 in "BHINAYA BEACH- SUPREME" have been sold by criminal trespass and acts of land grabbing and fraudulent registration vide sale deed numbers 3684/2015, 4198/2015, Doc No.4199/2015. 18. The fraudulent plot purchasers under the said deeds are S. Sirajuddin, S/o. Mohammad Suliman, 22/8, Thiruvallur Nagar Extension, Chrompet, Chennai-44 and Mrs. Kalaiarasa Arul, W/o. T.C. Arul Prakasam 2, Tagore Street,

Kadhir Kamam, Anandha Nagar, Pondicherry 605009. 19. In fact, the sale deed vide document number 3603/2015 registered by Pedro Developers Private Limited itself is an act of fraudulent registration caused with the intention to grab our lands, thus the two companies have connived with each other to grab our lands and promote a layout to unlawfully enrich itself and enjoying the proceeds of crime. 20. After illegally grabbing our lands and fraudulently registering part of our lands by conniving with Pedro Developers Private Limited, M/s. Manju Foundations Private Limited has preferred a suit for specific performance in O.S. No. 345/2022 before the Additional District Judge, Thindivanam by deliberately mentioning wrong boundaries and by claiming that the subject lands were "Vacant lands" and admitted that the 2nd and 3rd of us were in possession of the lands. Thus, the claims of layout over the lands have been given up the said company itself. 21. Further as a part of the sale agreement and compromise decree regarding the lands in S. No. 195/4a, 4c, by the first and second of us herein, the possession and possessory rights of the lands were transferred to and in favour of the first of us herein and based on the same and in order to fortify the rights of possession of the 1st of us herein, the 1st of us herein had unloaded 10,000 bricks, setup two bamboo shed, 200 plants, two borewell for agricultural activity and other items, all of these items were stolen by M/s. Manju Foundations through Mr. Karnan and Mr. Selvam and their associates, who are anti-social elements of Manju Foundations and despite police complaints, the police officials are not even interested in receiving the complaint. By virtue of this protracted harassment, we are being forced to part with our lands to M/s. Manju Foundations Private Limited. 22. These anti-social elements namely Karnan and Selvam are indulging in these fraudulent acts under the direct instructions of Mr. Ganesan, Mr. Hari Krishnan, and Mr. Balaji who are specialists in ruining peoples lives and enriching themselves. These persons are also at the heart of this scam. 23. We are not at all allowed to enjoy our own properties as per our wishes and this fraud has been jointly perpetuated on us by 1. Mr. Gourav Bhalla of M/s. Pedro Developers (P) Ltd & Vatika Group. 2. M/s. Manju Foundations Private Limited, represented by Mr. Vidhya Sagar, 3. Vidhya Sagar, Managing Director, Manju Foundations 4. Mrs. Sindhuja, Director of Manju Foundations 5. Mr. Kumar, Director, Manju Foundations 6. Mr. Balaji alias Coona Balaji, President, Manju Foundations 7. Mr. Ganesan, legal executive Manju Foundations 8. Mr. Hari Krishnan, executive, Manju Foundations 9. Mr. Selvam, supervisor, Manju Foundations 10. Mr. Karnan, local helper, Manju Foundations

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11. Mrs. Hansika Motwani, D/o. Pradeep Motwani, Bungalow No 47, Hansika House, RSC-2, Park Street, Andheri West, Mumbai, Maharashtra, 24. The fraudulent Purchasers of lands of the 2nd and 3rd of us herein are: 12. Mr. Sirajuddin, S/o. Mohammad Suliman, 22/8, Thiruvallur Nagar Extension, Chrompet, Chennai-44 and 13. Mrs. Kalaiarase Arul, W/o. T.C. Arul Prakasam 2, Tagore Street, Kadhira Kamam, Anandha Nagar, Pondicherry 605009. 25. The above persons thirteen persons have been conniving with each other with the sole intention to grab our lands, our belonging and to cause wrongful loss to us. In view of the above conspiracy, it is prayed that your kind self may be please to enquire into the matter and register a criminal case against the above fraudsters for land grabbing, criminal trespass, fraudulent misrepresentation, criminal conspiracy, criminal breach of trust, cheating, fabrication of records, forgery, for theft and for fraudulent registration of our lands and under other relevant sections of the Indian Penal Code. At the time of enquiry we will produce all relevant records to establish our case. Yours faithfully. Sd (XXXX) Dinesh N Surana, (P. Nagarajan), K-12. Logaren (K.P. Loganathan).

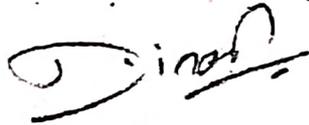
I Received the Judicial Magistrate -2, Tindivanam above the direction petition and registered a case in Marakkanam Police station Crime No. 561/2023 u/s 406, 477, 465, 420, 379, 120(B) IPC. The FIR and the complaint herewith enclosed and send to JM-2 Court Tindivanam.

13. Action Taken: Since the above report reveals Commission of Offence(s) u/s as mentioned in item No.2, registered case and took up the investigation.

எடுக்கப்பட்ட நடவடிக்கை : மேலே குற்ற முறையீட்டில் உள்ளவை பிரிவு 2 -ல் கூறப்பட்ட சட்ட பிரிவுப்படியான குற்றமாக வழக்கு பதிவு செய்து பரண்படுத்த எடுத்துக்கொள்ளப்பட்டது.

FIR read over to the Complainant/Informant, admitted to be correctly recorded and a copy given to the Complainant/Informant free of cost.

மு.த.அ. குற்றமுறையீட்டாளருக்கு / தகவல் தந்தவருக்கு படித்துக்காட்டி, அது சரியாக எழுதப்பட்டு இருப்பதாக ஏற்றுக்கொள்ளப்பட்டு, அதன்படி நகல் ஒன்று இலவசமாக கொடுக்கப்பட்டது.



14. Signature / Thumb Impression of the Complainant/Informant  
குற்றமுறையீட்டாளர் / தகவல் கொடுப்பவரின் ஒப்பம் / பெருவிரல் இரேகைப் பதிவு

Signature of the Officer in-charge, Police Station  
காவல் நிலைய பொறுப்பு அலுவலரின் ஒப்பம்

15. Date & Time of despatch to the court: 08-10-2023  
நிமின்றத்திற்கு அனுப்பப்பட்ட நாளும் நேரமும்

Name : ANNADURAI V  
பெயர்

Rank : SUB No.:  
INSPECTOR OF எண்  
POLICE

நிலை

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(Special Original Jurisdiction)

W.P.No. 13992 of 2023

1. P. Nagarajan,  
S/o. Late Mr. Ponnurangan,

2. K.P. Loganathan,  
S/o. Late Mr. Ponnurangan,  
Both residing at No.2/387, Singaravelan Street,  
Opposite Community Hall,  
ChinnaNeelangarai, Chennai-115.

...Petitioner

-Vs-

1. The Ministry for Environment,  
Forest and Climate Change,  
Represented by its Secretary,  
Indira Paryavaran Bhavan,  
Jorbagh Road, New Delhi- 110003.

2. State Environment Impact Assessment  
Authority (SIEAA) Tamil Nadu,  
3<sup>rd</sup> Floor, Panagal Maligai,  
1, Jeenis Road, Saidapet,  
Chennai - 600 015.

3. The Member Secretary,  
Tamil Nadu Coastal Zone Management Authority,  
Panagal Building,  
Saidapet, Chennai - 600002

4. The District Collector,  
cum Chairman,  
District Coastal Zone Management Authority,  
Villupuram, at, Collector Office road,  
Moovendar Nagar, Villupuram,  
Tamil Nadu 605602.

5. The Housing Secretary,  
O/o. The Housing Secretary,  
Chennai-09.

6. The Director, DTCP,  
2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> Floor,  
C& E, Market road,  
Koyambedu, Ch-107.

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7. The Deputy Director, DTCP  
Villupuram region,  
GH Road, TADCO Building,  
Villupuram Dt.
8. The Tamil Nadu Pollution Control Board,  
Represented by its Chariman,  
76, Mount Salai, Guindy Ch-32.
9. Tamil Nadu Pollution Control Board,  
Represented by its  
District Environment Engineer,  
at, District Collector Master plan Complex,  
back side of Taluk Office,  
Villupuram -605602.
10. THE Executive Officer,  
Marakkanam Town Panchayat,  
Marakkanam Taluk, Villupuram Dt.
11. The Thasildar, Marakkanam Taluk,  
Villupuram District.
12. M/s. Manju Foundations Pvt. Ltd.,  
8, Sapthaswara Apartments, 2<sup>nd</sup> Floor,  
1<sup>st</sup> Avenue, Ashok Nagar,  
Chennai - 600 83.
13. Pedro Developers (P) Ltd.  
C/o. Vatika Group  
Flat No. 621-A, 6<sup>th</sup> Floor,  
Devika Towers,  
6, Nehru Place, New Delhi- 19.
14. Mr. Dinesh N Surana  
S/o. Mr. N.K. Surana  
at No. 72 Harleys Road  
Kilpauk, Chennai - 600010

...Respondents

**COMMON AFFIDAVIT FILED BY THE PETITIONERS**

We, K.P. Loganathan & P. Nagarajan, residing at No.2/ 387, Singaravelan Street, Opposite Community Hall, ChinnaNeelankarai, Chennai-115, do hereby solemnly affirm and sincerely state as follows:

1. We are the Petitioners herein in the above writ petition and are aware of the facts of the case.
2. The Petitioners are the owners of the lands in S. No. 195/4A(Pt.), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.) and 211/1B1A(Pt.) admeasuring about 1.70 Acres, situated in Marakkanam North Village, Marakkanam Taluk, Villupuram Dt. These lands had been purchased by us vide document number 43/1990 and 1143/1990 duly registered at SRO Marakkanam.
3. Originally the Petitioners had entered into an agreement dated 16.04.2015 with the 12<sup>th</sup> Respondent for the outright sale of their lands stated above and received a sum of Rs. 50,000/- as advance while the sale consideration was fixed at Rs. 95,20,000/- for 1.70 Acres at Rs. 56,000/- per cent.
4. Paying the token amount of Rs.50,000/- without any authority, over the subject lands, by an act of encroachment, layout road and plots have been formed by the 12<sup>th</sup> Respondent herein over the petitioners' lands while developing a 40 Acre Sea Shore housing project in the year 2015. The 12<sup>th</sup> Respondent paid a sum of Rs. 5,00,000/- towards additional sale consideration and has paid a total sum of Rs. 5,50,000/-, while so it had already encroached on the petitioner's site and converted it into a unapproved and illegal layout by leveling the sand dunes, while very well realizing that the subject area is eco sensitive and olive ridley turtle nesting site.

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Since the lands were grabbed and not purchased by the Respondent company, the victimized Petitioners in deep suffering preferred to sell their lands to the 14<sup>th</sup> Respondent as Vacant lands by not recognizing the encroachments (i.e. the illegal layout developments over its lands), There occurred a disputed with the 14<sup>th</sup> Respondent, which resulted in filing of a suit for specific performance of agreement by the 14<sup>th</sup> Respondent and the suit was finally disposed off under a compromise recorded before the Hon'ble PSJ at Thindivanam in O.s. No. 211 and 213 of 2022, however the lands are not yet registered in the name of the 14<sup>th</sup> Respondent/ its nominee. According to the agreed terms of the voluntary Compromise, the petitioners will have to register the sale deed in favor of 14<sup>th</sup> respondent/his nominees.

However, with the ulterior motive to harass the Petitioners, the 12<sup>th</sup> Respondent has preferred a suit for specific performance of the agreement dated 16.04.2015 in O.s. No. 345/2022 before PDJ, Villupuram by falsely claiming that the subject lands are "Vacant Lands" and by forging the signatures of the Petitioners and by making false pleadings. The 12<sup>th</sup> Respondent is guilty of perjury and contempt of Court. The Petitioners have filed appropriate written statement in the said blackmail suit which has been filed with the intention to unsettle settled things.

5. While so, the layout project named Bhlnaya Beach and others (formed by an act of encroachment over public and private lands) continues to stand in violation of CRZ norms, DTCP norms and Environment

Protection act 1986, hence originally the Executive officer, Marakkanam Town Panchayat had Issued notices dated 29.10.2015 and 11.01.2016 addressed to M/s. Manju Foundations Private Limited regarding the illegal developments made by the said company without obtaining CRZ clearance and DTCP approval over various Survey Numbers suppressing the same, the Respondent is promoting his layout. Thus, Part of the layout over which these illegal layout developments have been made are in S. No. 195/4A(Pt.), 195/4B(Pt.), 195/4C(Pt.), 195/4D(Pt.) and 211/1B1A(Pt.) admeasuring about 1.70 Acres, situated in Marakkanam North Village, Marakkanam Taluk, Villupuram District belonging to the Petitioners.

6. In fact, the lands in S. No. 211/1B1A measuring about 53 cents has been fraudulently converted into a layout and partly sold by M/s. Manju Foundations Private Limited in connivance with M/s. Vatika Group, hence we have preferred a petition dated 27.12.2022 before the District Registrar, Thindivanam for cancellation of the fraudulent documents and we have also preferred a complaint dated 27.12.2022 before the Superintendent of Police, Villupuram, thus the Petitioners' harassment and victimization continues unabated.
7. It is most painfully submitted that we are fisherman and illiterate persons belonging to financially weaker section and senior citizens who are incapable of fighting the fraudulent promoter company which is a corporate fraud, which is exploiting on our weaknesses since 2015 and enriching itself at the cost of our lives and investment.

8. Upon legal advice, we have realized that our lands fall within CRZ Zone and are not capable of any development as per the CRZ laws but M/s. Manju Foundations has trespassed into our lands and laid layout roads and plots despite our objection and resistance, in fact the 12 Respondent has preferred a criminal complaint against us and others dated 11.02.2016, when we justly resisted them from developing and promoting our lands, in such a backdrop, the 12<sup>th</sup> Respondent preferred a direction from this Hon'ble Court in W.P. No. 9904/2016 seeking police protection and an enquiry over the false complaint by it made against us and others.

9. It is only recently we had obtained knowledge of the above referred notices dated 29.10.2015 and 11.01.2016 issued by the Executive Officer, Marakkanam Town Panchayat.

Based on the knowledge of the same, the first of us herein had issued a reply letter dated 10.11.2022 to the Executive officer, Marakkanam Town Panchayat, seeking to comply with his own notice dated 29.10.2015 and 11.01.2016 regarding the illegal developments over our lands and unconditionally accepted removal of the illegal developments made over our lands and the 12<sup>th</sup> respondent cannot be heard objecting to the same.

10. Despite our favorable representation dated 10.11.2022 the Executive Officer, preferred not to take any action. Hence, we preferred a petition dated 27.12.2022 before the Housing Secretary, The Director,

DTCP and the Deputy Director, DTCP, however, till today no action has been taken by these authorities also.

11. When we visited the office of the Deputy Director, DTCP, Villupuram on 04.01.2023, we were badly received and ill-treated and there was no response forthcoming. All these clearly amount to dereliction of duty.
12. We are senior citizens and reserve our valuable rights to deal with our lands in a manner desired by us, however we are being arm twisted and harassed by M/s. Manju Foundations Private Limited which is preventing us from entering our lands by restricting access through the large gate installed by it over the 60' approach road in S. No. 181/5B3 & by controlling the public road as private drive way by installing large gates, security cabins, illegal entrance arch, security guards, CCTV cameras and its Logo over public property.
13. The 12<sup>th</sup> Respondent has no right to monitor public movement and restrict public access over public properties. While doing so, the 12<sup>th</sup> Respondent through its persons is coolly indulging in various acts of CRZ violations at the sea shore by restricting access and is also indulging in land grabbing.

Since the Petitioners own lands and reserve their right to access to the same, the Petitioners preferred a petition dated 28.12.2022 for removal of encroachment over public road in S. No: 181/5B3 and for access through the same. However, all the government officers are

silent when it comes to matters relating to M/s. Manju Foundations as they are well taken care of by the 12<sup>th</sup> Respondent.

14. It is submitted that the layout township, more particularly the layout named Bhnaya Beach and Bhavishya Beach, Bharsha Beach are developed by encroaching on private lands and by violating the CRZ rules and without obtaining any environment clearance.
15. At the risk of repetition, It is asserted that the Petitioners have never consented for formation of any layout over their coastal lands which fall within CRZ-I and no development zone, in fact when the Petitioners resisted the illegal developments, even police complaint was given against the Petitioners by the 12<sup>th</sup> Respondent with the intention to coerce us and silence us.  

Originally, the entire site is eco-sensitive with sand dunes but the Promoter company had destroyed the same, flattened the lands and is promoting our lands and other surrounding lands without any approval from any of the authorities. The site is also a turtle nesting area as per government order. Hence the lands ought to fall under CRZ-1A.
16. The Petitioners reserve their right to protect and enjoy their valuable lands in a manner desired by us, but we are not even allowed to enter the project component which illegally bears our valuable lands as a part of the illegal layout and is portraying as a environment fraud.
17. It is prayed that since no action has been taken pursuant to our reply letter dated 10.11.2022 and the consequent petition dated 27.12.2022

and 28.12.2022. Hence the Petitioners preferred a representation dated 27.02.2023 before the respondent authorities praying that;

- (a) The 1<sup>st</sup> to the 9<sup>th</sup> therein to act as per law and ensure that the illegal coastal developments pertaining to the lands in S. No. 195/4(Part) and 211/1(Part) (of Marakkarjam North Village), being parts of the lands over which M/s. Manju Foundations Private Limited has *no lawful right, title and interest* shall be restored to its original form as "sand dunes" and about the same, the fraudulent company cannot have any grievance and in the event, the illegal developments over our lands are not removed and the coastal lands are not restored as sand dunes again, within 15 days of the date of this representation, we will be constrained to approach the National Green Tribunal, Southern Bench, seeking appropriate relief and action, and the mute spectators & violators will be jointly and personally held liable for the costs and consequences arising thereof.
  - (b) The 5<sup>th</sup> to the 7<sup>th</sup> therein may be pleased to order removal of the large gates and security room installed over the 60' public road formed over lands in S. No. 181/5B3 of Marakkanam North Village, failing which we will be constrained to approach the Hon'ble Madras High Court at your cost.
18. The Petitioners have also called upon M/s. Manju Foundations Private Limited represented by Mr. Vidhya Sagar to pay a sum of Rs. 1,00,00,000/- (Rupees One Crore) as compensation for victimizing us, for the harassment and loss caused to us, for making the illegal

developments on our lands for unlawfully enriching itself at our cost, however till today there has been no response.

19. The Petitioners are the owners of the lands in S. No. 211/1B1A measuring about 53 cents and own part of the lands in S. No. 195/4, hence we reserve our right to access to our site from public roads and layout roads. The Respondent company is not justified in treating a public road as private driveway, it has no right to prevent us and general public from accessing public roads by blocking the entrance by installing gates and CCTV cameras. The Respondent company cannot be allowed to run a parallel government.
20. The Respondent company has no right to encroach public properties, which is the only means of access to the site of the Petitioners and even general public reserve their right to use the roads of the unapproved layout to reach the coast. Thus, the attempt to block the use of public pathway is only an act of land grabbing.
21. The Respondent has also caused various encroachments at the sea shore and altered the physical features of the site at sea shore by installing jogging track, leveling the lands, and also constructing groynes over lands which also belongs to the government and making illegal developments within 200 meters of No development zone, these acts are ably supported by the Executive Officer and Thasildar Marakkanam which can be seen from the silence of the Executive

office. and from the back dated and illegal order of the Thasildar in Na.Ka. No.2142/2022.

22. Clearly the inaction of the Respondent authorities amounts to act of conniving with the Respondent builder. Therefore, the petitioner is constrained to file this writ petition under Article 226 of the Constitution of India.
23. The respondents are duty bound to protect the Government land which No authority can be given to the 12<sup>th</sup> respondent herein to enjoy the Government land and his present act is obviously unlawful.
24. In any event, the respondent shall always keep a watch on the Government land and protect it from possible encroachment but they are deliberately falling to do their duties for extraneous considerations.

**INTERIM RELIEFS:**

- (a) It is prayed that this Hon'ble Court may be pleased to restrain the 12<sup>th</sup> Respondent from preventing the access of the petitioners and general public through the 60 feet public road in S. No. 181/5B3(Pt.) of Marakkanam North Village, Marakkanam Taluk, Villupuram District, to enable the Petitioners and the general public to have unfettered access to the coastline, pending disposal of the writ petition and thus render justice.

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FINAL RELIEF

It is therefore, prayed that the Hon'ble Court may be pleased to issue a WRIT OF MANDAMUS or any other order or direction in the nature of a writ directing the 4<sup>th</sup> Respondent to remove the entire encroachment made by the 12<sup>th</sup> Respondent over the 60 feet public road in S. No. 181/5B3(Pt.) of Marakkanam North Village, Marakkanam Taluk, Villupuram District to enable the Petitioners and the general public to have unfettered access to the coastline, within a time frame fixed by this Hon'ble Court and direct the 10<sup>th</sup> Respondent to remove the illegal developments over the lands of the Petitioners in S. No. 195/4A(Pt.), 4B(Pt.), 4D(Pt.) and in S.No. 211/1B1A admeasuring about 1.70 Acres in Marakkanam North Village, Marakkanam Taluk, Villupuram Dt as per their own notice dated 29.10.2015 and 11.01.2016 within a time frame fixed by this Hon'ble Court and thus render justice.

Solemnly affirmed at Chennai on this the 5<sup>th</sup> day of April 2023 and signed his name in my presence:

Before me

Advocate

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IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(Special Original Jurisdiction)

W.P.No. 13992 of 2023

1.P. Nagarajan,  
S/o. Late Mr. Ponnurangan,

2. K.P. Loganathan,  
S/o. Late Mr. Ponnurangan,  
Both residing at No.2/387, Singaravelan Street,  
Opposite Community Hall,  
ChinnaNeelangarai, Chennai-115.

...Petitioner

-Vs-

1.The Ministry for Environment,  
Forest and Climate Change,  
Represented by its Secretary,  
Indira Paryavaran Bhavan,  
Jorbagh Road, New Delhi- 110003.

2. State Environment Impact Assesment  
Authority (SIEAA) Tamil Nadu,  
3<sup>rd</sup> Floor, PanagalMaligai,  
1, Jeenis Road, Saidapet,  
Chennai - 600 015.

3. The Member Secretary,  
Tamil Nadu Coastal Zone Management Authority,  
Panagal Building,  
Saidapet, Chennai - 600002

4. The District Collector,  
cum Chairman,  
District Coastal Zone Management Authority,  
Villupuram, at, Collector Office road,  
Moovendar Nagar, Villupuram,  
Tamil Nadu 605602.

5. The Housing Secretrary,  
O/o. The Housing Secretary,  
Chennai-09.

6. The Director, DTCP,  
2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> Floor,  
C& E, Market road,  
Koyambedu, Ch-107.

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7. The Deputy Director, DTCP  
Villupuram region,  
GH Road, TADCO Building,  
Villupuram Dt.
8. The Tamil Nadu Pollution Control Board,  
Represented by its Chariman,  
76, Mount Saijai, Guindy Ch-32.
9. Tamil Nadu Pollution Control Board,  
Represented by its  
District Environment Engineer,  
at, District Collector Master plan Complex,  
back side of Taluk Office,  
Villupuram -605602.
10. THE Executive Officer,  
Marakkanam Town Panchayat,  
Marakkanam Taluk, Villupuram Dt.
11. The Thasildar, Marakkanam Taluk,  
Villupuram District.
12. M/s. Manju Foundations Pvt. Ltd.,  
8, Sapthaswara Apartments, 2<sup>nd</sup> Floor,  
1<sup>st</sup> Avenue, Ashok Nagar,  
Chennai - 600 83.
13. Pedro Developers (P) Ltd.  
C/o. Vatika Group  
Flat No. 621-A, 6<sup>th</sup> Floor,  
Devika Towers,  
6, Nehru Place, New Delhi- 19.
14. Mr. Dinesh N Surana  
S/o. Mr. N.K. Surana  
at No. 72 Harleys Road  
Kilpauk, Chennai - 600010

....Respondents

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Bench

IN THE HIGH COURT OF  
JUDICATURE AT MADRAS  
(Special Original Jurisdiction)

W.P.No. 13992 of 2023

P. Nagarajan,  
S/o. Late Mr. Ponnurangan,  
& another

...Petitioners

-Vs-

Ministry of Environment,  
Forest and Climate Change,  
Represented by its Secretary,  
Indira Paryavaran Bhavan,  
Jor Bagh Road,  
New Delhi- 110003 & others

WRIT PETITION

M/s. T. Thiyagarajan(173/1993)  
R. Ashwanth (1447/2008)  
M.Anandhakumar (1701/2017)  
G.Hari Mahesh (2439/2018)  
A.Sharma Infant (1721/2020)

Counsel for Plaintiff.

ADDRESS FOR SERVICE

No. 7, law Chambers,  
High Court Buildings,  
Chennai - 600 104.  
Ph: 98407 00341

FORM-M

BEFORE THE HONORABLE ADJUDICATING AUTHORITY,  
TNRERA, EGMORE, CHENNAI-8.

C. No. 01 Of 2024

Between:

1. P. Nagarajan  
2. K.P. Loganathan  
both Sons of Ponnuranga Gounder  
2/387, Singaravelan Street,  
Opposite Community Hall,  
Chinna Neelangarai, Chennai-115.

.. Complainants

And

Manju Foundations Private Limited,  
represented by Vidhya, at,  
at 8, Sapthaswara Apartments,  
2<sup>nd</sup> Floor, 1<sup>st</sup> Avenue, Ashok Nagar,  
Chennai-83.

... Respondent

**Details of claim:**

Deliberate violations of Provisions of the act by the respondent promoter cum agent by indulging in unfair and fraudulent practices while Promoting and Marketing the layouts in the name and style of BHINAYA BEACH, BAHVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH in Marakkanam North Village by grabbing the lands of the Complainants in Marakkanam North Village in Survey Nos. 195/4A (Part), 195/4B (Part), 195/4C (Part), 195/4D (Part) and 211/1B1A (Part) admeasuring about 1.70 Acres by trespassing, grabbing and misrepresenting the lands of the Complainants as Plots and roads in its marketing prospectus, thus marketing its unregistered, illegal Project by violating several mandatory provisions of various enactments and the rights of the Complainants.

**1. Particulars of the complainants:**

**(i) Name of the complainants:**

K.P. Loganathan

P. Nagarajan

both Sons of Late Ponnuranga Gounder

**(ii) Address of the existing office / residence of the complainants:**

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2/387, Singaravelan Street, Opposite Community Hall, Chinna Neelangarai, Chennai-115.

**(iii) Address for service of all notices:**

The address for service of all notices is as above.

**2. Particulars of the respondent:**

**(i) Name of respondent:**

Manju Foundations Private Limited,  
Represented by Mr. Vidhya,

**(ii) Office address of the respondent:**

8, Sapthaswara Apartments, 2<sup>nd</sup> floor, 1<sup>st</sup> Avenue, Ashok Nagar, Ch-83.

**(iii) Address for service of all notices:**

The address for service of all notices is as above.

**3. Jurisdiction of the regulatory authority:**

The complainants declare that the subject matter of the claim falls within the jurisdiction of the regulatory authority.

**4. Facts of the case:**

1. We are the complainants herein and are aware of the facts of the Complaint.
2. Primarily the Complainants are landowners, senior citizens, patients being victims of the illegal project named Bhinaya Beach and Bhavishya Beach & have preferred the present Complaint by candidly disclosing their credentials and without concealing any material facts as against the ongoing illegal activity of the Respondent in Promoting virgin beach lands classified as agricultural lands, by flattening sand dunes and

constructing permanent structures in the form of layout and plots, within the Eco-sensitive and No Development Zone, CRZ zone of various survey numbers in Marakkanam North Village, including over the lands of the Complainants while claiming that the approvals and clearances are pending on the file of the Respective Authorities.

3. The first complainant is a BP, diabetes, and heart patient, while the second Complainant is suffering from stage-4 Parkinsons disease.
4. That Respondent Promoter & real estate agent, M/s. Manju Foundations Private Limited, is a chronic and wilful violator of the Provisions of the TNRERA and in general has no regard for rule of law.
5. It is further submitted that the Complainants are owners of agricultural lands to an extent of 1.7 Acres, in Survey No. 195/4A(Part), 4B(Part), 4C(Part), 4D(Part) admeasuring about 1.17 Acres & also the owner of the lands in S. No. 211/1B1A measuring about 0.53 Acres in Marakkanam North Village, Marakkanam Taluk, Villupuram District having acquired the same vide document numbers 1190 and 43/1990, both duly registered before SRO Marakkanam.
6. The Respondent had entered into an agreement with M/s. Pedro Developers Private Limited, M/s. Metis Developers Private Limited and M/s Kaleena Developers Private Limited in the year 2015.
7. Similarly, the Complainants entered an agreement for outright sale of their lands to the Respondent on 16.04.2015, for a total consideration of Rs. 95,20,000/-, for which an advance of R. 50,000/- was also received by the Complainants, subsequently an additional advance of a sum of

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Rs. 5,00,000/- was paid by the Respondent. However, the said agreement was not completed as the Respondent promoter preferred to trespass and grab the lands of the Complainants in S. No.s 195/4a, 4b, 4c, 4d (Parts) and in S. No. 211/1b1a admeasuring 1.70 Acres under the sale agreement and forcibly under an act of fraud and rowdyism made it a part and parcel of the layout named "BHINAYA BEACH AND BHAVISHYA BEACH". Therefore, the subject agreement was cancelled.

8. Apart from the above, by flattening sand dunes, the Respondent have promoted layout named Barsha Beach and Bhavitha Beach in the adjoining site. All these sites were promoted in the year 2015 and remain unapproved by DTCP and unregistered before TNRERA and incomplete, ongoing project. The layout Master plan is enclosed to this Complaint.
9. The formation of layouts and plots on the Complainants private lands by an act of encroachment and trespass and without any lawful authority over the lands belonging to the Complainants will not bind the Complainants and it is settled law that an agreement for sale does not create any right.

Therefore, without regard to the illegal land grabbing, the lands of the Complainants are treated as vacant agricultural lands by the Complainants are entitled to deal with it in a manner preferred by him.

In view of illegal acts of land grabbing by the Respondent, the Complainants have preferred criminal complaints, in response to the same, the Respondent has preferred a suit for specific performance of

the agreement in O.S. No. 345/2022 stating that the lands are "**Vacant lands**", thus playing a fool with the Court and using sub-judice as a tool for blackmail.

Since this forum is not the place for seeking redressal of these grievances. Hence the scope and the pleadings are restricted to issues related to morality, ethics, fair trade practices and legalities in promoting and marketing a real estate project.

10.The Complainants have recently derived knowledge that the 8<sup>th</sup> Respondent being the Executive Officer, Marakkanam Town Panchayat had issued a notice dated 29.10.2015 and 04.07.2016 to the Respondent but no action has been taken ever since.

11.It is learnt that the notices were issued as the layout was developed without obtaining planning permission and technical approval as per G.O.M.s No. 134, Municipal Administration and Water Supply Department dated 20.09.2002 and also as the project lands falling within 200 meters of no development zone and within 500 meters of the coastal Regulation Zone and no permission was obtained from Coastal Regulation Zone Management Authority and also on account of violations of section 47(A) of the Town and Country Planning Act 1971.

12.It is learnt that Form-I notice under section 56 and 57 of the Town and Country Planning Act 1971 has already been served on the Respondent on 18.05.2016, thus the layout project is alien to law.

13.It is learnt that the Assistant Director of Town and Country Planning, Villupuram Region sent a communication vide Na.Ka.

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No.161/2016/VR/dated 01.06.2016 to the Executive Officer to remove the layout stones erected in the unauthorized layout and AC sheet roofs built in the subject lands in accordance with G.O. No. 289 Housing and Urban Development Department dated 16.12.2010 and section 56 and 57 of the Town and Country Planning Act 1971.

It is seen that the Executive Officer issued a notice dated 04.07.2016 to the Respondent herein under section 56 and 57 of the Town and Country Planning Act 1971 and Tamil Nadu District Municipalities Act 1920 to remove the layout stones erected in the unauthorized layout and to remove the AC Sheet built in the subject land without obtaining permission from the competent Authorities.

14. Having recently learnt about the above development, we preferred a Petition dated 10.11.2022 before the Executive Officer, Marakkanam Town Panchayat confirming to comply with the above stated notices as the Complainants were the owner of part of the lands over which part of the illegal layout was formed after the illegal flattening of the sand dunes on my private lands.

15. Since the Complainants attempted to remove the unlawful developments over our private lands on 4<sup>th</sup> Jan 2023, we were prevented by the Respondent from entering the lands.

16. The Complainants also approached the Executive officer for removal of the layout developments, he was totally openly supporting the Respondent and refused to remove the unauthorized developments from the Complainants lands and other lands, which was demanded by the

Executive Officer as per his own notice dated 29.10.2015 and 04.07.2016, rather on 20.09.2023 the Executive Officer is now negotiating on behalf of the Private Respondent that the lands of the Complainants be allowed to be used as road for the benefit of the plot purchasers, while the Complainants can keep the Plots or take square feet rate upon settlement. Thus, the nexus between the authorities is proven.

17. The Complainants had also Preferred a Petition cum complaint dated 27.12.2022 before the Housing Secretary and the Deputy Director, DTCP, Villupuram Region seeking the same relief but no action has been taken.

18. Apart from the above-mentioned, years after cancellation of the agreement, the Respondent has filed a Suit for specific performance in OS No. 345 of 2022 before the Principal District Judge, Villupuram against the Complainants by fabricating the endorsements/ signatures of the Complainants at the back of the original agreement, while misrepresenting the property of the Complainants as road and plots and part of their layout project and issuing marketing prospectus to the general public to that effect.

*Therefore, heavy fine should be levied and stern action, including revocation, suspension of registration of agent, black listing of the Promoter and punishment should be meted out to restrain the Respondent, its office bearers, and other such litigants from by grabbing land and suppressing land owners, while using the court and sub judice as a tool for black mail and suppression.*

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19. In the suit for specific performance in O.s. No. 345/2022, the Respondent has averred that the lands under the agreement are "Vacant Lands" thus the Respondent cannot claim any road and plot over the Complainant's lands as per the **Doctrine of Election**. The Respondent cannot approbate and reprobate at the same time.

***The Respondent can no longer claim any illegal right over the Complainants lands and the ongoing layout projects are an act of fraud and are incomplete and cannot be completed, being fraudulent projects.*** Hence the jurisdiction of this Hon'ble Forum is invoked and accordingly reliefs are herein sought under this complaint.

20. ***Further, now again the fraudulent plot purchasers under the Respondent are harassing the Complainants for access, demanding that the lands of the Complainants be treated as access roads as illegally committed by the Respondent without any authority. Hence this Complaint has been preferred relying on the admission of the Respondent in O.S. No. 345/2022, where the Respondent has categorically stated that the Complainants lands are Vacant lands and not layout and the possession is with the Complainants.***

***In view of the admission, the Complainants have taken possession of the lands in as-is- condition with the existing roads and plots and fencing stones and have also filed an injunction application in the suit in O.s. No. 345/2022, wherein the Respondent has neither denied the possession of the***

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**Complainants nor claimed any layout development over the Complainants lands and has repeatedly pleaded that the lands are vacant lands This position will also bind the Purchasers under the Respondent.**

**Therefore, the Complainants will not allow their lands to be illegally used for any layout purpose and for approach/ access by the Respondent and the Purchasers under it, that too by violating CRZ norms and Environment Protection act and town and country planning act. Such environmentally hazardous developments will be detrimental to the future generations also.**

21. The office bearers of the Respondent responsible for this project are:-

- (a) Vidhya Sagar, Managing Director, Manju Foundations
- (b) Mrs. Sindhuja, Director of Manju Foundations
- (c) Mr. Balaji alias Coona Balaji, President, Manju Foundations
- (d) Mr. K. Kumar, Director, Manju Foundations
- (e) Mr. Ganesan, legal executive Manju Foundations
- (f) Mr. Hari Krishnan, executive, Manju Foundations
- (g) Mr. Selvam, site supervisor, Manju Foundations
- (h) Mr. Karnan, local helper, Manju Foundations

22. It is submitted that if the law of the land is not enforced based on cause of action and violations, the law would be rendered useless and would embolden such respondent company. It is therefore important to initiate proceedings against respondent and save innocent purchasers and innocent land owners from being victimised and to show that the companies that are complying with the provisions of TNRERA and indulging in fair trade practices are not fools & to ensure that there is a level playing field.

23. This Honourable Authority shall ensure that unscrupulous elements are thrown out of Real estate sector and are brought to justice and that the interest of innocent investors and land owners like the complainants are protected.
24. The locus standi of the complainants who are land owners and interested in the enforcement of the provisions of the act and who are interested in transparency and fair play in real estate sector is traceable to the order of this Honourable appellate Tribunal in Appeal No. 45/2020 dated 8/12/2020 in ***M/s. Casagrande Builder Private Limited Vs. Mr. Y. Ramesh*** wherein the Honourable Appellate authority has held that the expression person aggrieved need not receive a strict construction & that general public can complain about violation of the provisions of the act.
25. As made out from the above said circumstances, ***even without the sale transaction being fulfilled and without any authorization or permission from the Complainants and clearance from the competent authorities, the Respondent had started to promote and is continuing to promote the Complainant's land***, along with other lands around in Survey Numbers 189/1A Part, 189/3A Part, 189/4A, 189/4B1 Part, 190/1A Part, 194/1(Part), 195/1(Part), 195/2, 195/4D, 211/2C, 211/3, 211/4(Part), 211/5 (Part), 211/6, 212/1(Part), 212/2(Part), 195/1(Part), 196/5A2B, 210/4 (Part), 210/5 (Part), 194/1, 195/3, 211/1B, 211/6 (Part) totally admeasuring about 37 odd Acres in the first phase. This entire extent falls within CRZ area-IA (Eco

sensitive) and CRZ-III and the lands of the Complainants are forcibly made a part of this scandalous project.

26. The complaint is maintainable and the acts of the Respondent attract Section 3(1), 10(a), 9(7), 59(1), 60, 61, 62 and 69(1) of the act and the Respondent ought to be dealt with accordingly.

27. This complaint is preferred based on legally acceptable cause of action and in view of the deliberate, conscious and continuous violations of the provisions of the act & in the interest of transparency in real estate sector, in the interest of innocent land owners and buyers and in the interest of the provisions of the act, it is prayed that this Honourable authority may be pleased to:

- (a) To direct the respondent to act and to market its Projects as per the provisions of various enactments while promoting and marketing the layouts in the name and style of BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH which is unfair and fraudulent besides an act of land grabbing so far as complainants land in Survey Nos. 195/4A (Part), 195/4B (Part), 195/4C (Part), 195/4D (Part) and 211/1B1A (Part) admeasuring 1.70 acres are concerned as the Complainants lands are misrepresented as roads and plots in the ongoing unapproved layouts being promoted and marketed by the Respondent.
- (b) To restrain the Respondent from promoting and marketing the unregistered projects named BHINAYA BEACH, BHVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH which violate several mandatory provisions of various enactments.
- (c) To cancel the agent registration of the Respondent, registered vide TN/Agent/027/2020 dated 31/1/2020 before TNRERA.

- (d) To initiate action against the Respondent company and its directors for Promoting and marketing non- registerable Projects named BHINAYA BEACH, BHVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH.
- (e) To issue of a show cause notice to the Respondent as per the provisions of the TNRERA for promoting and marketing the layout projects named BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH in Marakkanam North Village by indulging in unfair and fraudulent trade practices.
- (f) To impose exemplary fine on respondent and initiate penal proceedings against the office bearers of the Respondent for the brazen bypass of the Provisions of the act and for indulging in unfair and fraudulent trade practices.
- (g) Pass such other orders as this Hon'ble Authority may deem fit under the circumstances and thus render justice.

### **SCHEDULE OF PROPERTY**

#### (DETAILS OF THE UNREGISTERED PROJECTS)

All that piece and parcel of the lands in Survey Numbers 189/1A Part, 189/3A Part, 189/4A, 189/4B1 Part, 190/1A Part, 194/1(Part), 195/1(Part), 195/2, 195/4A, 4B, 4C, 4D, 211/2C, 211/3, 211/4(Part), 211/5 (Part), 211/6, 212/1(Part), 212/2(Part), 195/1(Part), 196/5A2B, 210/4 (Part), 210/5 (Part), 194/1, 195/3, 211/1B1A, 211/6 (Part) totally admeasuring about 37 acres forming part and parcel of the layouts named "BHINAYA BEACH, BHVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH", situated in Marakkanam North Village, Marakkanam Taluk, Villupuram Dt.

#### **5. Relief(s) sought:**

In view of the facts mentioned in paragraph 4 above, the complainantsprays for the following relief(s)

- (a) To direct the respondent to act and to market its Projects as per the provisions of various enactments while promoting and marketing the layouts in the name and style of BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH which is unfair and fraudulent besides an act of land grabbing so far as complainants land in Survey Nos. 195/4A (Part), 195/4B (Part), 195/4C (Part), 195/4D (Part) and 211/1B1A (Part) admeasuring 1.70 acres are concerned as the Complainants lands are misrepresented as roads and plots in the ongoing unapproved layouts being promoted and marketed by the Respondent.
- (b) To restrain the Respondent from promoting and marketing the unregistered projects named BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH which violate several mandatory provisions of various enactments.
- (c) To cancel the agent registration of the Respondent, registered vide TN/Agent/027/2020 dated 31/1/2020 before TNRERA.
- (d) To initiate action against the Respondent company and its directors for Promoting and marketing non- registerable Projects named BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH.
- (e) To issue of a show cause notice to the Respondent as per the provisions of the TNRERA for promoting and marketing the layout projects named BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH in Marakkanam North Village by indulging in unfair and fraudulent trade practices.
- (f) To impose exemplary fine on respondent and initiate penal proceedings against the office bearers of the Rewspndent for the brazen bypass of the Provisions of the act and for indulging in unfair and fraudulent trade practices.
- (g) Pass such other orders as this Hon'ble Authority may deem fit under the circumstances and thus render justice.

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**6. Interim order, if prayed for:**

Pending final decision on the complaint the complainants seeks issue of the following interim order:

- (a) To suspend the agent registration of the Respondent, registered vide TN/Agent/027/2020 dated 31/1/2020 before TNRERA.
- (b) To grant an interim injunction restraining the Respondent from marketing the layout projects named BHINAYA BEACH, BHAVISHYA BEACH, BHAVITHA BEACH AND BARSHA BEACH in Marakkanam North Village.

**7. Complaint not pending with any other court, etc.:**

The complainants further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

**8. Particulars of bank draft in respect of the fee in terms of sub-rule (1)**

**of rule 37:**

- (i) Amount : Rs.
- (ii) Name of the bank on which drawn
- (iii) Demand draft number

**9. List of enclosures:**

**INDEX**

It. No.	Date	Description
1.	23/01/1990	Sale deed executed by Mr. Dhanapal Chettiar & others to and in favour of the Complainants
2.	19/07/1990	Sale deed executed by Mrs. Kamalammal to and in favour of the Complainants
3.	16/04/2015	Sale agreement entered between the 12 <sup>th</sup> respondent and the Complainants

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4.	14/09/2015	Patta issued by the Thasildar, Marakkanam in favour of the Complainants
5.	14/09/2015	Joint Patta issued by Thasildar, Marakkanam in Favor of the Complainants & others
6.	29/10/2015	Notice issued by Executive Officer, Marakkanam
7.	18/04/2016	Legal Notice issued to the Complainants
8.	24/05/2016	Reply notice issued by the Complainants to the legal notice dated 18/04/2016
9.	--/08/2022	Plaint filed by the 13 <sup>th</sup> Respondent in O.S.No.345 of 2022 against the Complainants
10.	10/11/2022	Letter issued by the 1 <sup>st</sup> Complainant
11.	27/12/2022	Letter issued by the 1 <sup>st</sup> Complainant
12.	28/12/2022	Letter issued by the 1 <sup>st</sup> Complainant to 5 <sup>th</sup> , 6 <sup>th</sup> & 7 <sup>th</sup> respondent therein
13.	27/02/2023	Letter issued by the 1 <sup>st</sup> Complainant
14.	2023	Brochure
15.	2023	Master Plan of Bhinaya Beach & others.

Dated at Chennai on this the 20<sup>th</sup> day of October, 2023

**VERIFICATION**

We, K.P. Loganathan and P. Nagarajan, the complainants do hereby verify that the contents of paragraphs above are true to our personal knowledge and belief and that we have not suppressed any material fact(s).

Place: 20.10.2023

Date: Chennai

Signature of the Complainants

Counsel for the Complainants

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BEFORE THE HONORABLE ADJUDICATING  
AUTHORITY,

TNRERA, EGMORE, CHENNAI-8.

C. No. Of 2023

Between:

1. P. Nagarajan  
2. K.P. Loganathan  
both Sons of Ponnuranga Gounder  
2/387, Singaravelan Street,  
Opposite Community Hall,  
Chinna Neelangarai, Chennai-115.  
... Complainants

**And**

Manju Foundations Private Limited,  
represented by Vidhya, at,  
at 8, Sapthaswara Apartments,  
2<sup>nd</sup> Floor, 1<sup>st</sup> Avenue, Ashok Nagar,  
Chennai-83.

... Respondent

**FORM 'M'**

**[See rule 37(1)]**

**COMPLAINT FILED BY THE COMPLAINANTS**

M/s. R. Ashwanth (1447/2008)  
R.Akshaya (1493/2011)  
M.Anandha Kumar (1701/2017)  
G.Hari Mahesh (2439/2018)  
A.Sharma Infant (1721/2020)  
Srinithi R (4866/2023)  
Counsel for **Complainants.**  
**ADDRESS FOR SERVICE**  
New No. 96, 7, Old NO.82,  
Kamaraj Avenue, II Street,  
Adyar, Chennai – 600 020.  
Mobile: 98407 00341

201  
106



 **GPS Map Camera**



**Thazhankadu, Tamil Nadu, India**  
**East Coast Rd, Thazhankadu, Tamil Nadu 604303, India**  
**Lat 12.223471°**  
**Long 79.977493°**  
**16/03/24 01:54 PM GMT +05:30**

**Google**



 **GPS Map Camera**

**Kaipenikuppam, Tamil Nadu, India**  
**6X8J+27V, Kaipenikuppam, Tamil Nadu 604303, India**  
**Lat 12.214946°**  
**Long 79.979789°**  
**16/03/24 01:40 PM GMT +05:30**

 **Google**



9/1A



**BEFORE THE NATIONAL GREEN  
TRIBUNAL (SZ), SITTING AT  
CHENNAI**

Original Application No.013 of 2024  
(SZ)

Between:  
Mr.S.Sivadas  
Son of Sivakumar Kulasekar,  
No.2, Periyapalayathamman Kilo West  
Street,  
Basin Bridge, washermenpet, Chennai  
- 600 021

...Applicant

-And-

The Ministry of Environment,  
Forest and Climate Change,  
Rep by its Secretary,  
Indira Paryavaran Bhavan,  
Jorbagh Road New Delhi - 110 003  
And 15 others

...Respondents

**COUNTER AFFIDAVIT ALONG WITH  
TYPEDSET OF DOCUMENTS**

R. Ashwanth (1447/2008)  
M.Anandhakumar (1701/2017)  
G.Hari Mahesh (2439/2018)  
Counsel for 15<sup>th</sup> & 16<sup>th</sup> respondent.

**ADDRESS FOR SERVICE**

No. 7, law Chambers,  
High Court Buildings,  
Chennai - 600 104.  
Ph: 98407 00341