

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ)
CHENNAI
APPLICATION No. 134 of 2017**

Between

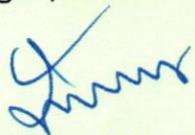
1.M.Ravichandran
2.R.Vijayalakshmi
3.C.Rajendran

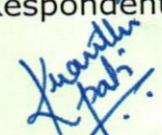
...Applicants

And

1. The Joint Commissioner/ Executive Officer,
Arulmigu Dhandayuthapani Swamy temple,
Palani.
2. The Commissioner,
Sivagiripatti Panchayat,
Palani Taluk.
3. The Commissioner,
Municipal Office,
Palani.
4. The Commissioner,
HR&CE,
Nungambakkam High Road,
Chennai- 600 034.
5. The Secretary,
Local Administration, Secretariat,
Chennai-600 009.
6. The Secretary,
Panchayat,
Secretariat, Chennai.
7. The Tahsildar,
Palani.
8. The Collector,
Dindigul District,
Dindigul.
9. The Chairman
Tamil Nadu Pollution Control Board,
76, Mount Road,
Guindy, Chennai- 32.
10. S.Prema
W/o Selvakumar,
Proprietor Sri Kantha Vilas,
175/7, Thiruvalluvar Gurukku Salai,
Anna Nagar, Palani-624 601.
11. Selvakumar,
Proprietor Sri Kantha Vilas,
175/7, Thiruvalluvar Gurukku Salai,
Anna Nagar, Palani-624 601.

.....Respondents


Asst. Commissioner / Personal Assistant
Arulmigu Dhandayuthapani Swami Thirukoil
PALANI.


Executive Officer
Arulmigu Dhandayuthapani Swami Thirukoil
PALANI.

OBJECTION TO THE REPORT OF THE JOINT COMMITTEE INTERIM REPORT
DATED 10.11.2020.

I, Kranthi Kumar Pati I.A.S, Son of Surender Pati, Hindu Aged about 30 Years, presently serving as the Executive officer, Arulmigu Dhandayuthapani Swamy temple, Palani, Dindigul District, do hereby solemnly affirm and sincerely state as follows:

1. I am the 1st respondent herein and as such I am well acquainted with the facts and circumstances of the case from the available records.
2. It is submitted that I have gone through the interim report dated 10.11.2020, filed in the above application and since the report has contains various allegations as against the 1st respondent temple, it has necessitated for me to submit the present objections.
3. It is submitted that this temple administration has provided a free of cost Tourist Bus Parking Area and a lodge with 10 rooms, 10 toilets and 10 bathrooms separately for men and also for women in the year 2004 and further in the year 2015 in order to manage the crowd that visit the Hill shrine and 8 more toilets and 4 more bathrooms were constructed for both women and men separately for a total extent of 4 acres.
4. It is submitted that as per the interim order made by this Hon'ble Tribunal dated 25.09.2020, a Joint Committee has been formed to inspect the lands belonging to the applicants and also directed to file a report on or before 10.11.2020, regarding the same. As per the direction, the Joint Committee has inspected the Tourist Bus Parking Area of temple administration and also the lands belonging to the applicants. The temple administration gave full support and details of work that has been already done and also gave the construction plan of the said Tourist Bus Parking Area along with rooms, toilets and septic tanks details to the Joint Committee, which has been also recorded in the interim report dated 10.11.2020.
5. It is submitted that the Executive Engineer, PWD working on deputation and Assistant Engineer in the 1st respondent Temple had clearly explained to the Joint Committee that the generation of sullage is


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approximately 42.0 Kilo Litres Day (KLD) and also informed that the pilgrims are using the toilets and bathrooms only during festival seasons, which would be roughly around 20 days in a year. The above fact is mentioned taking in to consonance that the hill temple would witness huge crowd only during the 'Thai Poosam' festival which falls in tamizh month of 'Thai' (January-February) and during the rest of the days in the year though the devotees visit the temple throughout the year, they use other toilets in giriveethi which are not connected to the drain line in the Tourist Bus Parking Area of temple administration

6. The Joint Committee gave some suggestions regarding the ongoing construction work in the said Tourist Bus Parking Area during their visit on 12.10.2020. Again the Joint Committee visited the Tourist Bus Parking Area to inspect the rectification work done by this respondent on 04.11.2020. The rectification work done by this respondent has been stated in the interim report filed by the Joint Committee on 10.11.2020.

7. It is submitted that the Engineering Wing of the Temple Administration has collected details of places/areas and approximate quantity of sewage water discharge through the drainage line maintained by the Temple administration which are under the jurisdiction of **2nd respondent/Sivagiripatti Panchayat**. It is also recorded in the report of the Joint Committee. It is pertinent to mention that there are approximately 22 lodges which are discharging 30,000 Litres of sewage water every day, 115 Residential Houses which are discharging 34,500 Litres of sewage water a day, 5 Hotels which are discharging 5000 Litres of sewage water a day and also there are many Kalayana Mahals, Hostels, Parking that are discharging approximately 46,000 Litres of sewage water a day. The total sewage outlet from the said area is 44.41 Million Litres per Year (MLY), whereas the toilets and bathrooms constructed by the Temple administration is used only for 20 days in a year. The Joint Committee has not even mentioned about the said issue of all other residential and commercial units letting of sewerage. The calculation sheet has been enclosed as ANNEXURE - A.

8. It is submitted that the Engineering Wing of the Temple Administration has also collected details of places/areas and approximate quantity of sewage water discharge through the drainage line maintained by the temple administration which are under the jurisdiction of **3rd**


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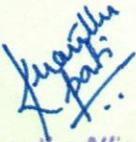
respondent/Palani Municipality. There are approximately 32 lodges which are discharging 48,750 Litres of sewage water a day, 692 Residential Houses which are discharging 2,07,600 Litres of sewage water a day, 9 Parking areas which are discharging 73,972 Litres of sewage water a day and also there are many, Hostels, Hotels, schools, Toilets, and Kalayan mahals that are discharging approximately 44,830 Litres of sewage water a day. Total sewage outlet from the said area is 136.93 Million Litres per Year (MLY). The Joint Committee has not even made any point regarding the same. The calculation sheet has been enclosed as ANNEXURE - B.

9. It is submitted that the generation of sullage by this respondent may be approximately 42.0 Kilo Litres Day (KLD). It was already stated that this Tourist Bus Parking Area bathrooms will be used by the pilgrims only on the festive days that is 20 days per year. Total outlet of sullage water from the bus Parking Area in a year is 8,40,000 litres per year (0.8 Million Litres per Year MLY). The Total discharge of sewage water as per our calculation is 181.34 Million Litres per Year (MLY). It is mainly point out that the percentage contribution of this respondent is nearly 0.5% only. The Lion's share of the sewage water discharged from the 2nd respondent and 3rd respondent.

10. It is submitted that the temple administration has constructed adequate septic tanks and surplus out flow from the septic tanks have been dispersed by dispersion trenches. The water from the Bathrooms flows into channel maintained by the Municipality. Presently, no sewage water from the Tourist Bus Parking Area has been drained into the applicants' lands. Moreover, a communication has been sent to the Collector, Dindigul District requesting to advice/direct the Local Bodies to divert the Drains away from the Tourist Bus Parking Area.

11. Though this respondent places on record its appreciation to the Joint Committee which has spent its valuable time to inspect the lands as well as the works done by the temple administration, this respondent states that the interim report fails to mention about the sewerage water carried through the drains of both the local bodies and also failed to identify all the private establishments that were using the drain of the local bodies which was earlier connected to the drain maintained by the temple administration. Before the Joint Committee comes to a conclusion about the damage alleged to have been done to the lands belonging to the applicants, the


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Joint Committee ought to have also identified all private commercial establishments and also residential houses that were letting out the sewerage waste through the drains maintained by the two local bodies which ultimately were illegally connected to the drain maintained by this temple administration.

12. This respondent reserves his right to file additional affidavit of objections as and when the 9th respondent files report for levying environmental compensation for the alleged damage caused to the lands belonging to the applicants, however, this respondent would request this Hon'ble Tribunal to direct the Joint Committee to identify all other commercial establishments and residential owners who were using the drain owned by the local bodies that were connected to the drain maintained by the temple administration.

Dated at Palani, this the 13th day of January 2021.

K. S. S. S.
Palani

Executive Officer
Arulmighu Dhandayuthapani Swamy Thirukoil, Palani.

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[Signature]

Asst. Commissioner / Personnel Assistant
Arulmighu Dhandayuthapani Swamy Thirukoil
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ANNEXURE - A**2ND RESPONDENT / SIVAGIRIPATTI PANCHAYAT AREA**

Sl. No	Places	Description	Total discharge per day (Litres)	Total discharge per year (Litres)
1.	Lodges	22 x 200 x 2 x 75 22 lodges approximately 200 rooms and 2 persons per room and 75 litres (discharging water)	30,000	10,950,000
2.	Hotels	5 x 1000 5 hotels discharging 1000 litres	5000	18,25,000
3.	Houses	115 x 3 x 100 115 houses having 3 persons per house and discharging 100 litres	34,500	12,592,500
4.	Kalayana Mahals	2 x 150 x 150 x 50 2 mahals and approximately functioning 150 days per year and 150 persons per function and discharging 50 litres	6165	2,250,225
5.	Hostels	1 x 50 x 100 one hostel having approximately 50 members discharging 100 litres	5000	1,825,000
6.	Toilets	3 x 10 x 50 x 10 x 200 3 Toilets and 10 members using 50 litres per day for 200 days a year	8220	3,000,300
7.	Parking	4 x 10 x 50 x 30 x 200 4 parking area 10 members using 50 litres per day for 200 days a year	32,800	11,972,000
Total			1,21,685	44,415,025

The total discharge of the sewage water coming from the jurisdiction of the 2nd respondent/ Sivagiripatti Panchayat is approximately 44.41 Million Litres per Year (MLY). **The percentage contribution of 2nd respondent is nearly 24.20.**

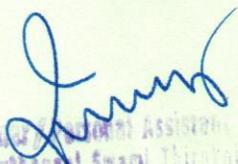

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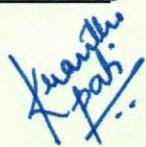

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ANNEXURE -B**3RD RESPONDENT/ PALANI MUNICIPALITY AREA**

Sl. No	Places	Description	Total discharge per day (Litres)	Total discharge per year (Litres)
1.	Lodges	32 x 325 x 2 x 75 32 lodges approximately 325 rooms and 2 persons per room and 75 litres (discharging water)	48,750	17,793,750
2.	Hotels	9 x 2000 9 hotels discharging 2000 litres	18000	6,570,000
3.	Houses	692 x 3 x 100 692 houses having 3 persons per house and discharging 100 litres	2,07,600	75,774,000
4.	Kalayana Mahals	5 x 150 x 150 x 50 5 mahals and approximately functioning 150 days per year and 150 persons per function and discharging 50 litres	15,410	5,624,650
5.	Hostels	1 x 50 x 100 one hostel having approximately 50 members discharging 100 litres	5000	1,825,000
6.	Toilets	2 x 10 x 50 x 10 x 200 2 Toilets and 10 members using 50 litres per day for 200 days a year	5480	2,000,200
7.	Parking	9 x 10 x 50 x 30 x 200 9 parking area 10 members using 50 litres per day for 200 days a year	73,972	26,999,780
8.	School	100 x 10 100 students and discharging 10 litres	1000	3,65,000
Total			3, 75,212	136,952,380

The total discharge of the sewage water coming from the jurisdiction of the 3rd respondent/ Palani Municipality is approximately 136.95 Million Litres per Year (MLY). **The percentage contribution of 3rd respondent is nearly 75.30.**


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Application No: 134 OF 2017

M.Ravichandran &
2 others . ..Applicants

-vs-

The Joint Commissioner/
Executive Officer,
A/m Dhandayuthapaniswamy
Temple, Palani
And others. ..Respondents

Objections filed by the 1st
Respondent to the report
dated 10.11.2020 of the
Joint Committee

M/s. R.Karthikeyan &
R.Bharanidharan
Counsel for 1st Respondent

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