BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTH ZONE BENCH AT CHENNAI
MA. No of 2022
in
O. A. No. 134 OF 2021 (SZ)

IN THE MATTER OF:
C. Arumugam and 3 others

-Vs-

1. Solomon Raja,
Chromepet,
Chennai. ... Applicant(s).

2. The District Collector,
Chengalpet District,
Chengalpet and Ors. ... Respondent(s).

COUNTER AFFIDAVIT OF THE 4TH RESPONDENT

I, Elangovan, Son of Manickam aged 51 years working as Commissioner, Tambaram City Municipal Corporation, Tambaram, Chennai - 600 044 do hereby solemnly affirm and sincerely state as follows:

1. I am the Commissioner of the Tambaram City Municipal Corporation, the tenth respondent herein.

2. I have read and understood the affidavit and the Application filed by the Applicants above named and I deny the averments set out therein.

3. It is submitted that the action of this Respondent is Pursuant to the Order of this Honourable Tribunal to remove the encroachments on the Water body called as Veeraghavan Eri

COMMISSIONER
TAMBARAM CITY MUNICIPAL CORPORATION

4. The said action was initiated by the issue of the Notice under the Tanks Protection Act 2007. Though the notices were issued, the recepients refused to receive the same when the same was originally served in person. The Notices sent by Registered Posts were also all returned.

5. Finally, the notices were served by means of publication in two Local daily Newspapers. Only thereafter the action for removal of the encroachments were undertaken.

6. In the meanwhile, the Applicants above named as well as various other occupiers of the lands have submitted explanations that the lands that their houses are built upon are not part of the water body and that they have been built on the Grama Natham lands.

7. Further some of them stated that they have also applied for the issue of Patta for the lands under their occupation. The said facts have to be verified.

8. In order to verify the facts, the details of the replies submitted have been sent to the Tahsildar, Pallavapuram to verify as to the veracity of their claims. This was sent by the letter of this respondent dated 26.08.2022. The reply of the tahsildar on the same is awaited.

9. It is submitted that the further action will be undertaken as and when the report of the Tahsildar is received in regard to the nature of the lands and the veracity of the claims of the applicants herein.

COMMISSIONER
TAMBARAM CITY MUNICIPAL CORPORATION

10. It is therefore submitted that the various averments of the petitioner are false and the same are not correct.

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the M.A. in the O.A.No. 134 of 2021 and accepts this report and close the Application No.134 of 2021 and thus render justice.

VERIFICATION

I, Elangovan son of Manickam, Commissioner, Tambaram City Municipal Corporation do hereby verify that the contents of above Paragraphs are true to the best of my knowledge and are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Chennai on this the 14th day of September, 2022.

Commissioner,
Tambaram City Municipal Corporation

Before me,

S. RAM SENTHIL KUMAR
ADVOCATE, E. No.2522/06,
D5, 31/15, 1st Main Road,
Gandhi Nagar, Adyar,
Chennai – 600 020

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) BENCH AT CHENNAI

IA. 130 OF 2022

IN

O. A. No. 134 of 2021 (SZ)

COUNTER AFFIDAVIT FILED BY 4TH RESPONDENTSDATED:14.09.2022

M/S.P.SRINIVAS (828/1994)
N.K. PONRAJ (2263/2009)
R.PURUSHOTHAMAN (263/2011)

COUNSEL FOR 4th RESPONDENT.

Cell No. 94862 04469