

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.**

**Original Application No. 136 of 2022 (SZ)**

Chandrasekarapuram panchayat,  
By its President K.Palanivel,  
S/o Komali Karuppan,  
Chandrasekarapuram village and Post,  
Rasipuram Taluk, Namakkal District.

...Applicant

-vs-

Rasipuram Municipality,  
By its Commissioner,  
Rasipuram Taluk and Post,  
Namakkal District – 637 408 and ors.

... Respondents

**INDEX**

<b>S.No</b>	<b>Description</b>	<b>Page No.</b>
1.	<b>REPLY FILED ON BEHALF OF THE 3<sup>RD</sup> RESPONDENT-TAMIL NADU POLLUTION CONTROL BOARD</b>	1 - 6
2	<b>ANNEXURE</b>	7 - 14

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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

Original Application No. 136 of 2022 (SZ)

Chandrasekarapuram panchayat,  
By its President K.Palanivel,  
S/o Komali Karuppan,  
Chandrasekarapuram village and Post,  
Rasipuram Taluk, Namakkal District.

...Applicant

-vs-

Rasipuram Municipality,  
By its Commissioner,  
Rasipuram Taluk and Post,  
Namakkal District – 637 408 and ors.

... Respondents

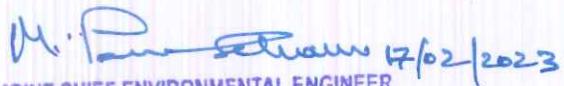
**REPLY FILED ON BEHALF OF THE 3<sup>RD</sup> RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, M. Pannirselvam, S/o M. Venkatesan, Hindu, aged about 59 years, having my office at No. 76, Mount Salai, Guindy, Chennai -600032, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Reply Affidavit on behalf of the 3<sup>rd</sup> Respondent Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the case from the records..

2) It is respectfully submitted that the Applicant has filed this application against the dumping of garbage by the 1<sup>st</sup> Respondent with the following prayer:

- a. DIRECTING the Respondents not to dump rubbish or waste in lands comprised in survey No: 546/5 and 546/7 in Therkupatti Village, Agraharam Revenue Villa in Chandrasekarapuram Panchayat.
- b. DIRECTING the Respondents to restore the land and pass such other suitable orders as this Green Tribunal may deem fit in the circumstances of the case and render justice.

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.

3) It is respectfully submitted that the 1<sup>st</sup> Respondent is one of the Municipalities in Namakkal District. The Municipality has purchased the land on 14.12.2001. The Total land purchased is 1.43.5 Ha (i.e.,3.54 acres) out of which (3.24 Acres from Thiru. A.Gunasekaran Alias Vembusekaran alias Vemban 1.29 Acres in S.F.No:546/5 and 1.95 Acres in the S.F.No:546/7 of Chandrasekarapuram Village, Rasipuram Taluk, Namakkal District vide Document No 2977/2001 and 0.30 Acres from Thiru. S. Thangavelu (0.15 Acres in North eastern corner of S.F.No:546/5 and 0.15 Acres in the North western corner of S.F.No:546/7 of Chandrasekarapuram Village, Rasipuram Taluk, Namakkal District vide Document No 2978/2001). Both the above said lands are having approach road on north (Chandrasekarapuram to Singalandhapuram Road).

4) It is respectfully submitted that after purchase of land the site was provided with compound wall, over-head tank and a bore well by the 1<sup>st</sup> Respondent. Thereafter the 1<sup>st</sup> Respondent attempted to dump the solid waste in the year 2002.

5) It is respectfully submitted that in the same year a Writ petition No. 20059 of 2002 was filed by Petitioner A.Selvi, Panchayat union Councilor and Convener of Mahalirmandram, Chandrasekapuram Village, Rasipuram Taluk, Namakkal District Vs Respondents Tamil Nadu Pollution Control Board and four others with a prayer for issuance of writ of mandamus to direct the 5<sup>th</sup> respondent Rasipuram municipality not to dump the garbage waste and rubbish materials in the lands purchased by the 5<sup>th</sup> respondent in Survey No: 546/5 and 546/7 in Chandrasekarapuram village, Rasipuram Taluk, Namakkal District.

6) It is respectfully submitted that the Hon'ble High Court in Writ Petition 20059 of 2002 vide order dated 13.07.2007 disposed the same with instructions as follows:

*"to check whether the dumping ground of rubbish fulfils all conditions as laid down by Board and whether it is causing any pollution in that area. If any corrective measures are required to be taken, the pollution control board will bring it to the notice of the municipality within three months from the date of*

*M. Pan Selvam* 17/02/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.

*receipt of a copy of this order and the Municipality in its turn will take steps to correct the measures within two months from the date of receipt of a copy of such instruction from the Pollution Control Board and disposed of with the above said observation."*

7) It is respectfully submitted that no application was received in this office requesting for authorization to handle the Solid waste and no authorization was issued to the site under Solid waste management Rules.

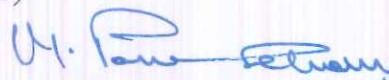
8) It is respectfully submitted that the site is located in S.F.No. 546/5 and 546/7, Chandrasekarapuram Village, Rasipuram Taluk, Namakkal District purchased by the Rasipuram Municipality. At the time of purchase, the land was with village road (Singalandapuram to Chandrasekarapuram road) as right of way on the northern side. In the year 2013, Highways Department acquired the land and the site was bifurcated as Rasipuram Bye pass road (which connects National Highway-7 and Sendamangalam to Attur Road) passes through and the site was divided and it is in two parts on either sides of the above said Rasipuram Bye pass road. Now Major part of the site was in the northern side and minor part of the site was in the southern side.

9) It is respectfully submitted that this Hon'ble Tribunal, in its order dated 29.11.2022, directed as follows:

*"The Pollution Control Board is directed to make spot inspection and file a detailed report in this regard adverting to the earlier direction given by the Hon'ble High Court of Madras also."*

10) It is respectfully submitted that accordingly, inspection was carried out by the official of the answering Respondent on 18.01.2023 and 10.02.2023 and the observations made are as below:

- The Rasipuram municipality is presently not dumping waste in the Survey no: 546/5 and 546/7, Chandrasekarapuram village, Rasipuram Taluk, Namakkal District. (Photograph enclosed as Annexure)

  
JOINT CHIEF ENVIRONMENTAL ENGINEER 17/02/2023  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.



plastic baling machine also available for baling of waste plastic (Photograph enclosed as Annexure).

13) It is respectfully submitted that, with regard to the paragraph 3.1, 3.2, 3.3, 3.5, 3.6, 3.7, 3.8 & 3.9 of the facts-in-brief of the application, it is respectfully submitted that the details have been sufficiently addressed in this reply affidavit.

14) It is respectfully submitted that, with regard to the paragraph 3.4 the facts-in-brief of the application, it is respectfully submitted that the authorities of the 1<sup>st</sup> Respondent have informed in their letter dated 05.01.2023 that the garbage dumped in the month of July 2022 as their processing facility had become unapproachable and the subject site was utilized for dumping for temporary period and the same was cleared later. Also in their letter, Rasipuram Municipality has assured that there will not be dumping in the said site in future.

#### **GROUND**

15) It is respectfully submitted that with respect to grounds in the Application, the 1<sup>st</sup> Respondent has not applied for authorization to the said site.

16) It is also submitted that Inspection was made by the officials of the answering Respondent on 18.01.2023 and 10.02.2023 and the 1<sup>st</sup> Respondent was instructed not to dump and also to monitor that dumping does not happen as the site is located adjacent to the road.

17) It is respectfully submitted that presently it was found that the the 1<sup>st</sup> Respondent has cleared the bushes in the said site and has taken initiative to remove the waste. Display board was also provided by the 1<sup>st</sup> Respondent with instructions to public not to dump solid waste at the site.

18) It is respectfully submitted that the 1<sup>st</sup> Respondent authorities were instructed to provide Compound wall / Fencing to avoid indiscriminate dumping of solid waste from commercial establishments such as meat stall, chicken stall waste etc.

 17/02/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstance of this case and thus render justice.

  
17/02/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.  
**BEFORE ME**

**VERIFICATION**

I, M. Pannirselvam, S/o M. Venkatesan, aged about 59 years, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

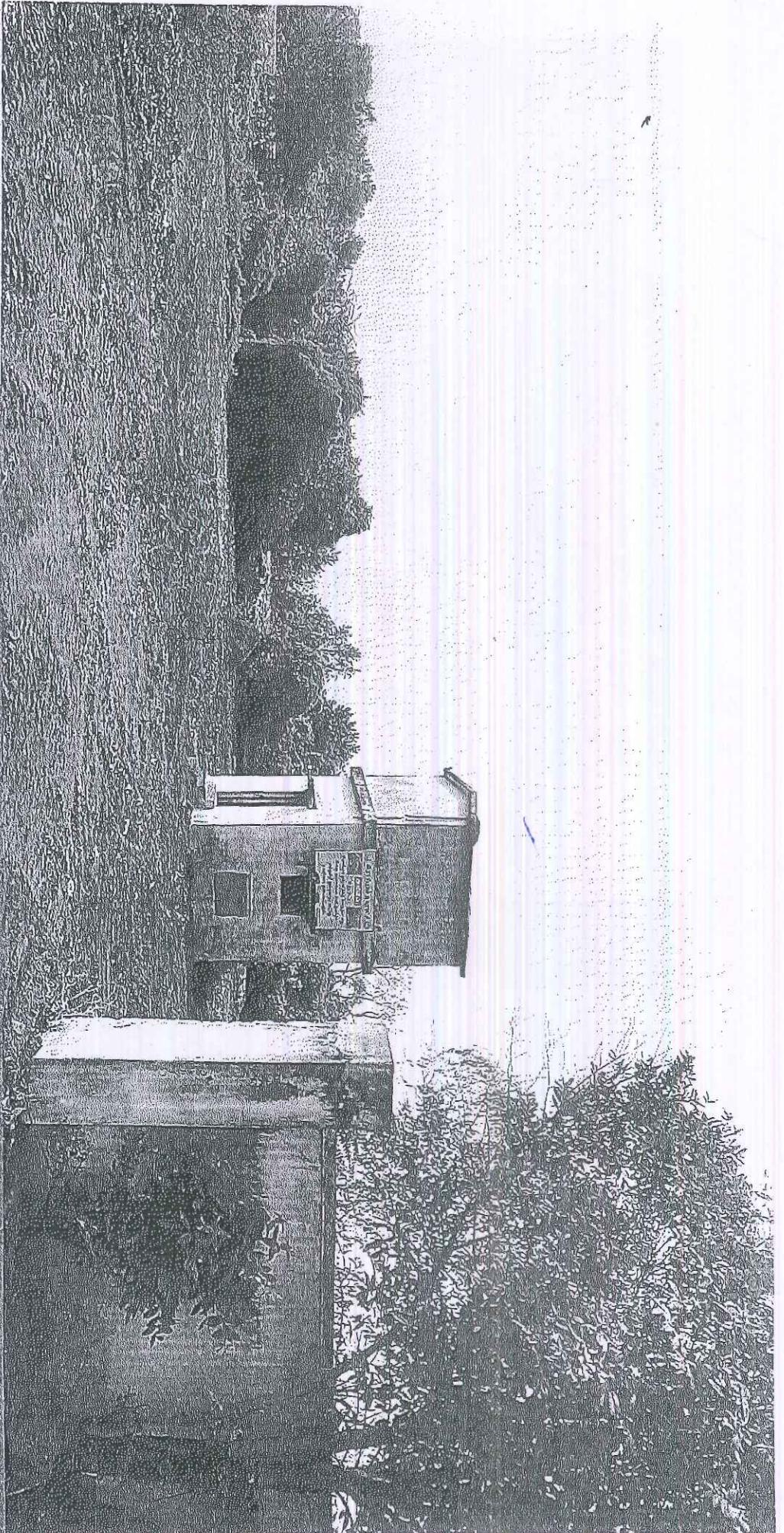
  
17/02/2023  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.

JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMILNADU POLLUTION CONTROL BOARD  
76, MOUNT SALAI, GUINDY,  
CHENNAI - 600 032.

Annexure

7

Annexure



CSJIP+XRF, Chandrasekarapuram, Tamil Nadu 637408, India

Chandrasekarapuram

Tamil Nadu

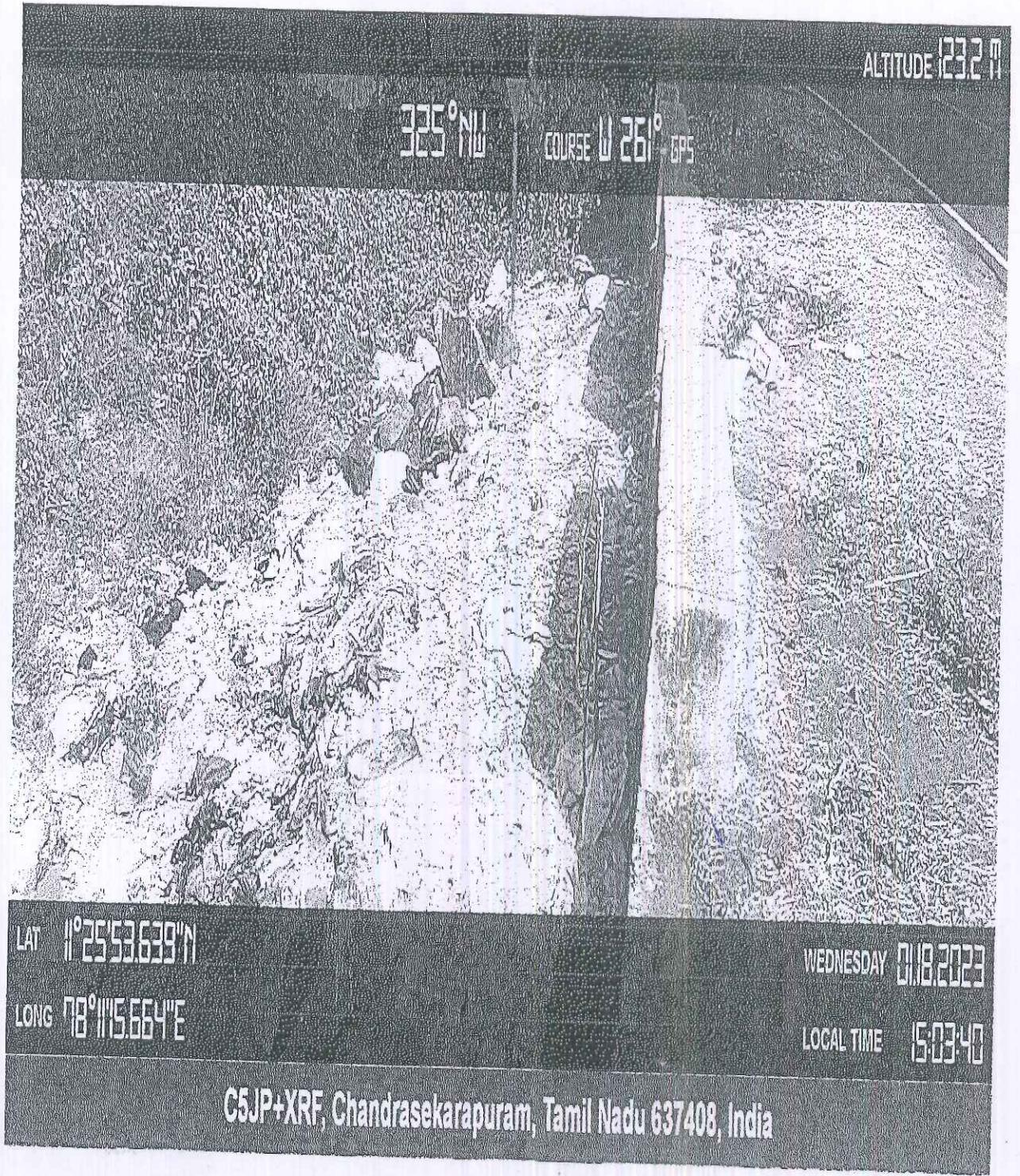
India

2023-01-05 (Thu) 10:47 (AM)

26°C

79°F

8



Poultry waste dumped in the solid waste dumping site

**இராசிபுரம் நகராட்சி**

**அறிவிப்பு**

**இந்த இடம்**

**இராசிபுரம் நகராட்சிக்கு சொந்தமானது.**  
**இங்கு குப்பைகளை கொட்டுவதோ,**  
**அத்துமீறி நுழைவதோ கூடாது.**  
**தவறினால் தண்டிக்கப்படுவீர்.**

ஆணையாளர்,  
இராசிபுரம் நகராட்சி.

C5JP+XRF, Chandrasekarapuram, Tamil Nadu 637408, India

Chandrasekarapuram

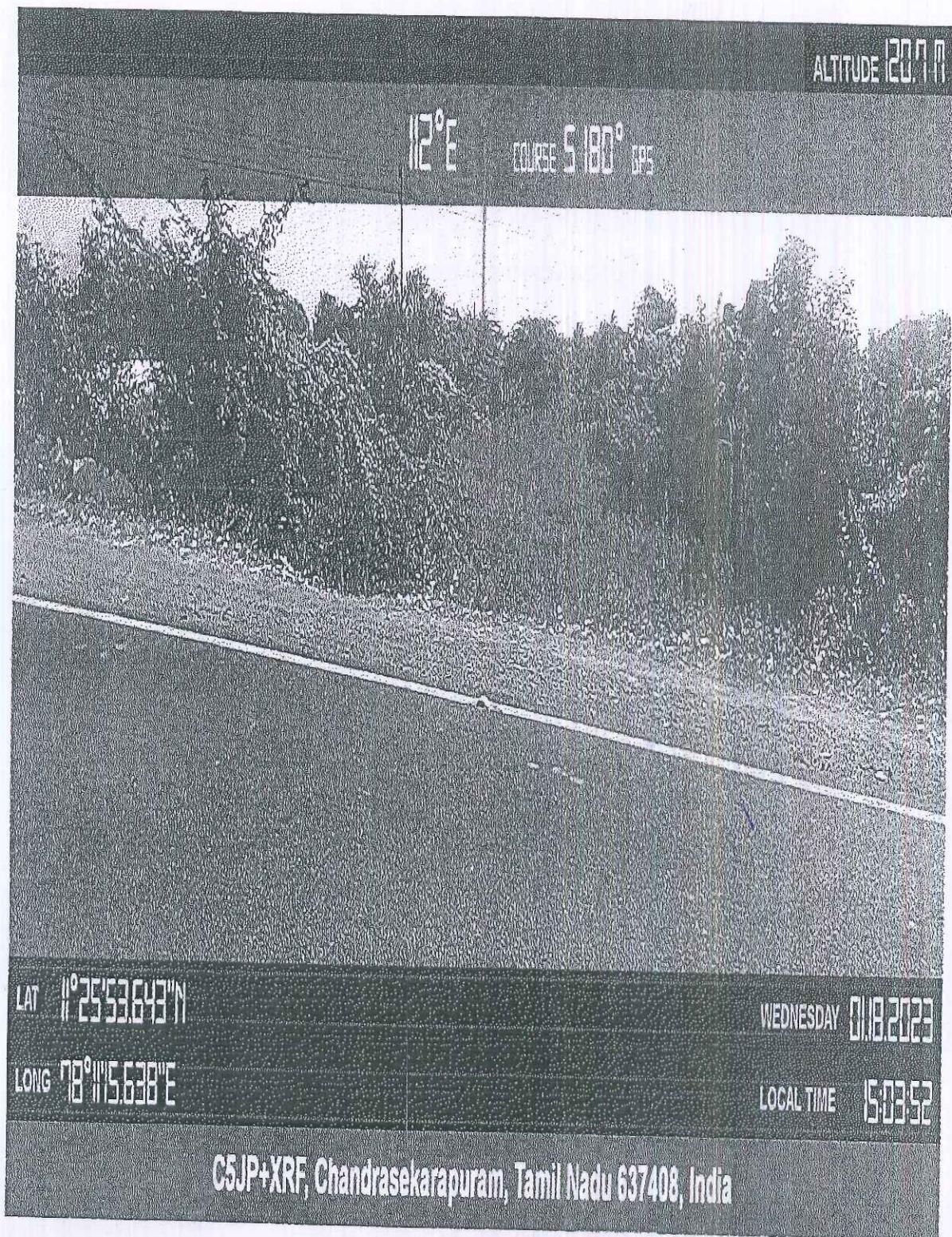
Tamil Nadu

India

26°C

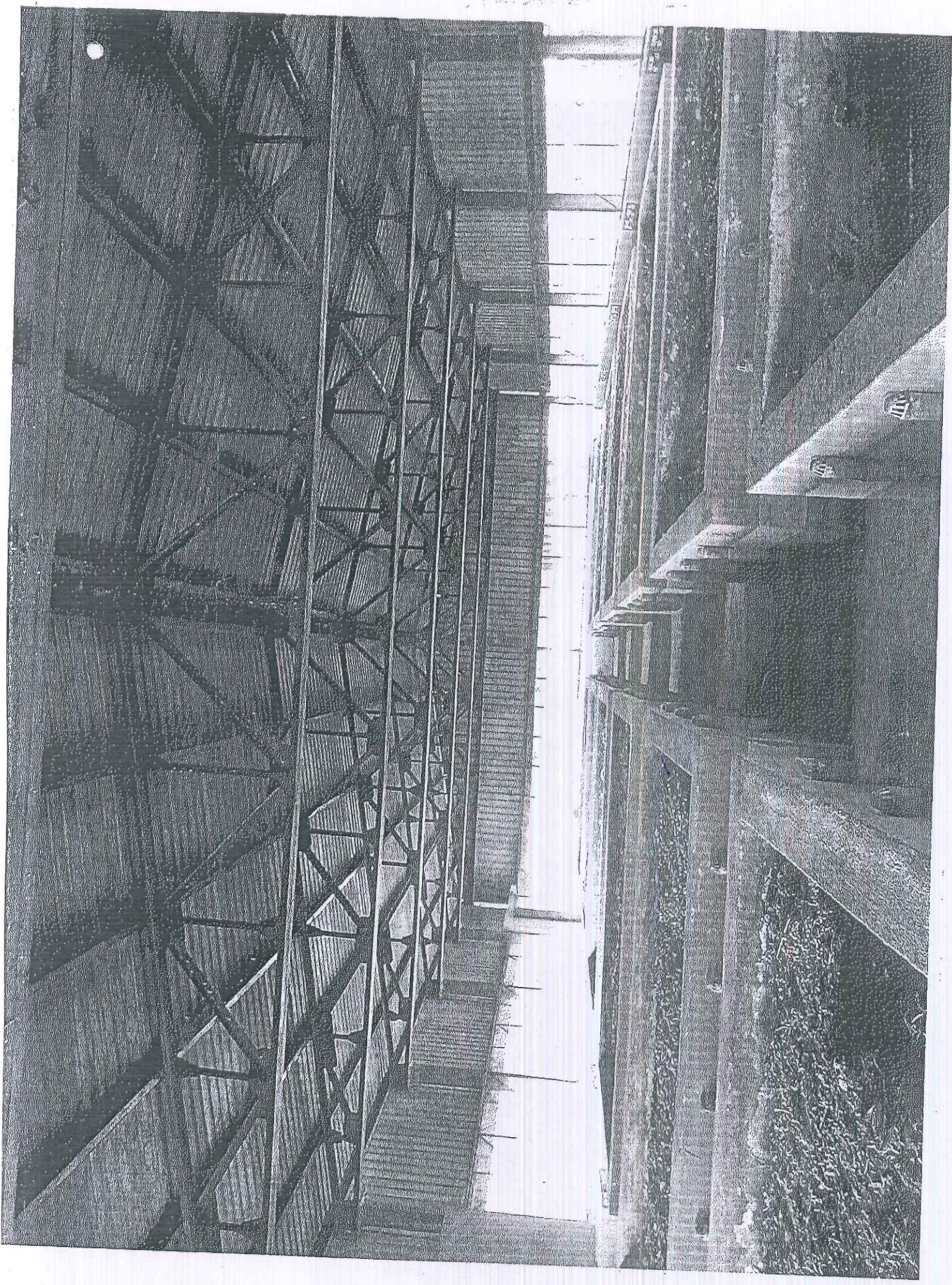
2023-01-05(Thu) 11:06(AM)

79°F



Remaining part of solid waste dumping site on the southern side of the Rasipuram bye pass road







August 22



**BEFORE THE HON'BLE NATIONAL  
GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Original Application No. 136 of 2022 (SZ)**

Chandrasekarapuram panchayat,  
By its President K.Palanivel,  
S/o Komali Karuppan,  
Chandrasekarapuram village and Post,  
Rasipuram Taluk, Namakkal District.  
... Applicant

**-vs-**

Rasipuram Municipality,  
By its Commissioner,  
Rasipuram Taluk and Post,  
Namakkal District – 637 408 and ors.

... Respondents

**REPLY FILED ON BEHALF OF THE 3<sup>RD</sup>  
RESPONDENT -TAMIL NADU POLLUTION  
CONTROL BOARD.**

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

**Date:17.02.2023.**

**Date of hearing on:20.02.2023.**