

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Original Application No.181 of 2021 (SZ)

IN THE MATTER OF:

Vivekananda Nursery and Primary School
Rep. by its Correspondent
Mr. N. Babu
2/83, Pandit Nehru Street
Rishivandiyam - 606 205
Kallakurichi District.
Mobile : 9865537530
Email Id: Ragavendarbaburvm@gmail.com .. Applicant (S)

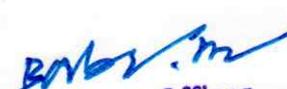
-Versus-

1. The State Level Committee,
Governed by the Principal Conservator of Forests,
Government of Tamilnadu,
Panagal Maaligai, No.1 Jeenis Road,
Saidapet, Chennai - 600 015.
Phone : 044 - 24364997
Email: tnforest@tn.nic.in
2. The Principal Chief Conservator of Forests,
Government of Tamilnadu,
Panagal Maaligai, No.1 Jeenis Road,
Saidapet, Chennai - 600 015.
Phone : 9445468040
Email: tnforest@tn.nic.in
3. The District Forest Officer,
Villupuram Cum Kallakurichi District,
Villupuram - 605 602.
Phone: 04146 - 290744
Email: dfo.vpm@tn.gov.in


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

4. The District Environment Engineer,
Villupuram Cum Kallakurichi District,
Villupuram - 605 602.
Phone: 04146 - 228955
Email: deetnpcbvpm@gmail.com
5. The District Fire Officer,
Fire & Rescue Department,
Villupuram Cum Kallakurichi District,
Villupuram - 605 602.
Phone: 0445086487
Email: Not known
6. The RDO,
Office of RDO, Sankarapuram,
Kallakurichi District,
Villupuram - 606 401.
Phone: 04151 - 224790
Email: rdokal.tnvpm@tn.nic.in
7. The Thasildar,
Office of the Thasildar,
Sankarapuram,
Rshivandiyam - 606 205
Phone: 9445000520
Email: santaluk.tnvpm@tn.nic.in
8. The Assistant Executive Engineer,
Tamilnadu Electricity Board,
Thirukovilur, Kallakurichi District.
Pincode - 605 757
Mobile: 9445855868
Email: vmv006aee1@tnebnet.org
9. Mr. Selvam S/o Arumugam
South Street, Munivazhai Village,
Risivanthiyam Post, Kallakurichi District,
Pincode - 606 205.
Mobile No. 9787352740, 9943661247
Email Id: Not known


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

10.Mr. Abdul Gani father's name not known
No.1/402 Munivazhai Road,
Rishivandhiyam Post,
Risivandhiyam - 606 205.
Mobile: 9843399012
Email Id: Not known

.. Respondent (S)

Draft Status Report filed by 3rd Respondent

I, Sumesh Soman, S/o.Soman.T.Vettikattu, aged about 33 years, presently holding the post of the District Forest Officer, Villupuram Forest Division, Villupuram and do hereby solemnly affirm and sincerely state as follows:-

2) I respectfully submit that I am the 3rd Respondent herein. I am well acquainted with facts of the case based on the circumstances of the case and the details available in the records.

3) I respectfully submit that the Original Application No. 181 of 2021 has been filed with a prayer to forbear the 9th respondent herein running saw mill in any manner in the land bearing Survey No.142/2A1 measuring an extent of 35 1/2 cents situated at Munivazhai Village, Rishivandhiyam, Kallakurichi District.

4) I respectfully submit that the Hon'ble Tribunal, by its order dated 16.08.2021, has issued directions under para 10 as the Principal Chief Conservator of Forests who is designated as the State Level

Page No. : 3
No. of Corns.: Nil


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

Committee (SLMC) in respect of establishment of wood based industries in Tamilnadu and also the District Forest Officer (DFO), Villupuram and Kallakurichi District and the District Environmental Engineer, Tamilnadu Pollution Control Board (TNPCB) Villupuram and Kallakurichi District to submit their independent report as to whether the original respondents 10 and 11 and re-arrayed respondents 9 and 10 have obtained necessary permission and clearances from the concerned departments for the purpose of establishing a proposed Saw Mill in the disputed area whether such as industry is a permissible activity in that area, whether all pollution control mechanism have been provided by them to arrest the noise as well as air pollution that is likely to be caused and if there is any violation found, what is action taken by them and they are directed to submit the respective reports to this Tribunal.

5) I respectfully submit that I am the District Forest Officer for both Villupuram and Kallakurichi Districts at present. The erstwhile District Forest Office, Kallakurichi Forest Division is merged with the existing Villupuram Forest Division. Hence there is no separate District Forest Officer in Kallakurichi District now.

6) I respectfully submit that the 10th respondent was running a saw mill in the name of Jasmin Saw Mill in survey No. 9/1A2 at Munivazhai Road, Rishivandhiyam. In District Forest Officer, Villupuram letter No. L / 6135 / 2015 dated 01.04.2016, a license to run his above said sawmill

Page No. : 4
No. of Corns.: Nil


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

was issued. Later on, he had sold the said saw mill on 13.04.2016 to the 9th respondent namely Thiru S. Selvam, S/o Sadaiyan, Munivazhai Road, Rishivandhiyam for Rs. 2,63,000/- (Rupees Two lakhs and sixty-three thousand).

7) I respectfully submit that the 9th respondent had applied to the 2nd respondent and 3rd respondent on 14.09.2018 for transfer of name of the saw mill as " Selvam Saw Mill" along with shifting of the saw mill to the new place i.e. survey No. 142/2A Munivazhai Road, Rishivandhiyam. The 2nd respondent in his letter No. WR4 / 40316 / 2018 dated 01.10.2018 had asked the 3rd respondent to send necessary details in the format along with his remarks.

8) I respectfully submit that the Forest Ranger, Kallakurichi was instructed to inspect and report the fact of the case. Accordingly, the Forest Ranger, Kallakurichi inspected the site on 27.02.2020 and 09.12.2020. In the meantime, the Appellant herein had filed a WP No. 8279 of 2020 before the Hon'ble High Court of Madras with a prayer to direct the respondent 2 to 5 therein to conduct enquiry considering the representation preferred by him dated 03.01.2020 and forbear 7th and 8th respondents therein from running saw mill in any manner in the land belong to 7th respondent therein from running saw mill bearing survey No. 142/ 2A1 measuring an extent of 35 1/2 cents situated at Munivazhai


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

Village, Rishivandhiyam, Kallakurichi District situated adjacent to the new site of the writ petitioner School bearing survey No. 142 / 2A, 142/2B, 142/ 2C and 142/2D measuring in extent of 1.04 -1/2 cents situated at Munivazhai Village, Rishivandhiyam.

9) I respectfully submit that Thiru.N.Babu, Correspondent, Vivekananda Nursery and Primary school, Rishivandhiyam had sent representation to the District Forest Officer, Villupuram on 21.01.2020 and 04.06.2020. The District Forest Officer, Villupuram had instructed the Forest Ranger, Kallakurichi on 15.02.2020 and 09.06.2020 to enquire and submit a detailed report.

The Forest Range Officer, Kallakurichi conduct enquiry to Thiru. S.Selvam S/o.Sadaiyan and sent his report to the District Forest Officer, Villupuram vide his letter No.152/2020 dated 10.06.2020. He had reported that, during his field inspection on 10.06.2020, it was found that the construction works for establishment of saw mill was going on and electricity was not provided. Thiru S. Selvam stated that he had purchased the saw mill namely Jasmine Saw Mill from Thiru Abdul Kani and assured that he would run the saw mill only after proper permission from the Forest Department. Moreover, it has also been mentioned that the no school building was constructed in the adjoining said land and only one board was erected.

Page No. : 6
No. of Corns.: Nil


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

10) I respectfully submit that the Hon'ble HighCourt of Madras had passed order in the above said WP on 29.06.2020 as given below:

" 2. When the matter was taken-up for consideration, Mr. M.Elumalai, the Learned Govt Advocate, on instructions, submitted that the representation of the petitioner dated 03.01.2020 was already considered and appropriate orders were passed for closure of the saw mill on the ground that no permission was granted for running the same and the same was also informed to the petitioner.

3. ----- this writ petition stands closed."

11) I respectfully submit that the 9th respondent had submitted the following documents in support of his application for transfer of name and shifting of saw mill.

1. A copy of sale deed on 13.04.2016 between Thiru.S.Selvam S/o.Sadaiyan and Thiru.Abdulgani

2. A copy of the approved plan issued by the Deputy Block Development Officer, Rishivandhiyam Block on 05.10.2020

3. A copy of the Misc., Receipt for Rs. 13230/- issued by the Special Officer, Munivazhi Panchayat, Rishivandhiyam Block was collected fee in Misc., Receipt on 03.10.2020

4. A copy of the letter of A3/88/2020 dated 27.06.2020 of the Thasildhar, Sankarapuram

5. A copy of letter No. No.8479/A2/2020 dated 04.9.2020 Issued by the Fire service Department, Villupuram District


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Office,
Villupuram Division
Villupuram.

12) I respectfully submit that the District Forest Officer, Villupuram sent to the proposal with above documents to the Principal Chief Conservator of Forests through the Conservator of Forests, Villupuram for transfer of name and shifting of the saw mill in the Ref.No. 1807/2020 L dated 17.03.2020 and further details sent on 28.05.2020, 15.07.2020, 22.10.2020 and 28.10.2020. As per guide licence of G.O.(MS).No.16 Environment and Forest (FR 13) Department dated 07.02.2020 and The Principal Chief Conservator of Forests, (Head of the Department, Chennai Ref.No.WR4/6822/2020 dated 25.06.2021, order had been issued 23.07.2021 to name transfer and shifting of the Saw mill in question to Thiru.S.Selvam S/o.Sadaiyan, S.No.142/2A, Munivazhai Road, Rishivandhiyam, Villupuram District and acknowledged it on 23.07.2021.

Therefore, in the above said reasons and circumstances explained, it is most respectfully prayed before this Hon'ble Tribunal to accept this status report and thus render justice.

Solemnly affirmed at Chennai on this 21st day of October 2021 and signed his name in my presence.


Forest Range Officer
Villupuram Range
Villupuram.


District Forest Officer
Villupuram Division
Villupuram.

Before me.