BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

(SOUTH ZONE BENCH)

AT CHENNAI

ORIGINAL APPLICATION NO. 183 OF 2021

IN THE MATTER OF

MEENAVA THANTHAI K.R.SELVARAJ KUMAR

MEENAVARA NALA SANGAM

Represented by its President,

M.R.Thiyagarajan ..APPLICANT

Versus

STATE OF TAMIL NADU AND 5 OTHERS ..RESPONDENTS

UNDERTAKING AFFIDAVIT FILED BY THE 6TH RESPONDENT

I, A.Durai, son of Late Mr. Arumugam, aged about 56 years, Indian National, residing at No. 32, Reddy street, Chinna Koladi, Thiruverkadu, Chennai – 600077, do hereby solemnly affirm and sincerely state as follows:

1. I am the 6th Respondent herein and as such I am well acquainted with the facts of the case and the contents of this affidavit. I submit that I am the owner of the subject Fish market constructed at Numbal Village, Vanagaram. The above Petition was filed against me and 5 others regarding the Fish market being located adjacent to Cooum river. It is submitted that I have abided with the all guidelines of TNPCB, CMDA and appropriate authorities and the orders of this Hon'ble NGT Bench in the above matter. The subject Fish market is in compliance with all the stipulated rules and regulations from all the authorities, based on

A. Durai

which Consent to Operate was issued to the 6th Respondent. It is submitted that with respect to the temporary sheets structure used as fencing in the buffer zone, I state that the same is done only to protect the building premises from illegal encroachment, robbery, theft, unlawful entry etc and not for any other purpose and will definitely not be of any hindrance for the water to take its course. There is no static/stationary activity or any other purpose for which the buffer zone is used and the public/workers/vehicles are always in movement. However, if this Hon'ble Tribunal recommends to remove the sheets, the 6th Respondent undertakes to remove the temporary asbestos sheets and replace it with temporary wired fencing.

2. Furthermore, with respect to the vacant area in the buffer zone, I hereby submit that the said area will not be used for any static/stationary still activity.

3. It is submitted that nearly 86 families and hundreds of workers including casual labourers are solely dependent on the fish market for their livelihood. It is therefore submitted that in view of the undertaking given above, the Hon'ble NGT Bench may permit the Fish market to be fully operational without any hindrances.

I therefore pray that this Hon'ble National Green Tribunal may dismiss the above matter O.A. 183 of 2021 and thus render justice.

Solemnly affirmed at Chennai
on this the 21st day of February 2023,
and signed his name in my presence

A. [illegible]

Before Me

2505/13

Advocate : Chennai

S. [illegible]
No: 71 Law Chambers
High Court Cl - 104

I Set

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MEENAVARA NALA
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Undertaking Affidavit
filed by the 6th Respondent

Kavitha Deenadayalan
(1438/2007)
Counsel for the 6th Respondent