

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI
ORIGINAL APPLICATION NO. 25 OF 2022

In the matter of

1. M.Sundaramurthy,
S/o Mathurai Naicker
68-A, Palavakkam VGP layout,
Chennai-600 041
Email-msm.2323@yahoo.com

2. Saraswathi Gopalen,
W/o S.V.Gopalen,
No.1197, Sixth Acenu, e,
Anna nagar West,
Chennai-600 040.
Email: sarasgopalen@gmail.com

3. Priya Gopalen,
W/o Ram C.Sekar,
No.1197, Sixth Avenue,
Anna nagar west,
Chennai-600 040.
Email: pgopalen@gmail.com

...Applicants

-Vs-

1. The Principal Secretary,
Department of Environment , Climate Change and Forest,
Government of Tamil Nadu,
Namakkal Kavignar Maligai,
Fort.St.George,
Chennai-600 009.
Email: tndoe@tn.nic.in Ph : 044 24336421 and 8 others

...Respondents

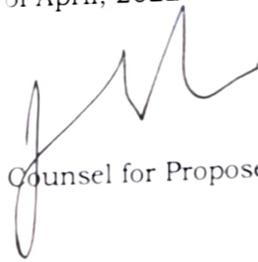
MEMO

1. It is stated that this Application was listed before this Hon'ble Court on 13.04.2022 . This Respondent informed this Tribunal about the mis-joinder of party . Your Lordship were pleased to substitute 8th Respondent M/s Arihant Foundations with M/s Escapade Real estate private Ltd as proposed 8th Respondent.

2. It is submitted that to effect the same , counsel for this proposed 8th Respondent is filing this Memo along with the supporting Affidavit by the proposed 8th Respondent and Vakalat.

It is prayed that this Hon'ble Tribunal may be pleased to take this Memo on record and substitute the current 8th Respondent namely M/s Escapade Real Estate ltd as the 8th Respondent and pass any further orders as it may deem fit and necessary and thus render justice.

Dated at Chennai on this 30th day of April, 2022



Counsel for Proposed 8th Respondent

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI
ORIGINAL APPLICATION NO. 25 OF 2022

In the matter of

1. M.Sundaramurthy,
S/o Mathurai Naicker
68-A, Palavakkam VGP layout,
Chennai-600 041
Email-msm.2323@yahoo.com

2. Saraswathi Gopalen,
W/o S.V.Gopalen,
No.1197, Sixth Acenuc,
Anna nagar West,
Chennai-600 040.
Email: sarasgopalen@gmail.com

3. Priya Gopalen,
W/o Ram C.Sekar,
No.1197, Sixth Avenue,
Anna nagar west,
Chennai-600 040.
Email: pgopalen@gmail.com

...Applicants

-Vs-

1. The Principal Secretary,
Department of Environment , Climate Change and Forest,
Government of Tamil Nadu,
NamakkalKavignarMaligai,
Fort.St.George,
Chennai-600 009.
Email: tndoe@tn.nic.in Ph : 044 24336421 and 8 others

...Respondents

AFFIDAVIT OF Mr.BHARAT M JAIN

I, **Mr.BHARAT M JAIN**, S/o.Mr.Mangilal Jain, aged about 45 years, authorized signatory of M/s Escapade Real Estate Ltd., a company incorporated under the Companies Act, 1956 having its Registered Office at New No.3, Old No.25, Ganapathy Colony 3rd Street, Off. Cenotaph Road, Teynampet, Chennai – 600018; do hereby solemnly affirm and sincerely state as follows:

For Escapade Real Estate Pvt. Ltd



Authorized Signatory

- 1) I respectfully submit that 8th Respondent herein is wrongly impleaded by the Applicants and the mentioned 8th respondent company is not the owner of the property or the Project.
- 2) I humbly submit that I am the authorized signatory of the owner M/s.Escapade Real Estate Private Limited, for the said property vide Sale Deed Doc No.:6596of 2007 dated 07.05.2007 on the file of Joint II SROChengalpet, and I have entered into agreement with the 9th Respondent herein for developing the Villa Project and our company is the necessary party for deciding this application on merits.(The copy of the sale deed is Annexure-1).
- 3) I sincerely submit that this Hon'ble tribunal has to delete the present 8th respondent for mis-joinder and replace the present 8th respondent with our company as 8th respondent in the interest of justice and equity.
- 4) I respectfully submit that if without hearing this company,any orders passed the sameshall result in miscarriage of justice entailing unwarranted and unjustifiable irreparable loss to this proposed 8th respondent Company .

For the reasons stated above it is prayed that this Hon'ble Tribunal may be pleased to substitute the current 8th Respondent and implead M/s Escapade Real Estate Ltd as the 8th Respondent and pass any further orders as it may deem fit and necessary and thus render justice.

Solemnly affirmed at Chennai on this the 30thday of April, 2022 and signed his name in my presence.

For Escapade Real Estate Pvt. Ltd



Authorized Signatory

Before me,

Advocate, Chennai