

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

Original Application No.49 of 2023 [SZ]

Dinesh Kallahalli,

----- Applicant

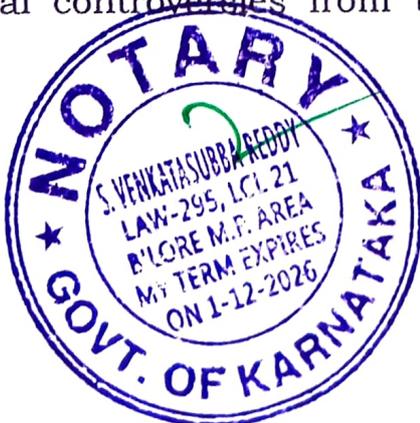
-Vs-

Prashanth Prakash & Others

----- Respondents

**REJOINDER FILED BY THE APPLICANT TO THE COUNTER  
AFFIDAVIT OF THE 1st RESPONDENT**

1. The Applicant had read and understood the counter affidavit filed by the 1<sup>st</sup> Respondent and is now submitting the following rejoinder to the same.
2. It is pertinent to point out that the 1<sup>st</sup> Respondent is trying to divert the attention of this Hon'ble Tribunal by making false and frivolous allegations against the Applicant. Some of the orders of the Karnataka High Court relied on by the said Respondent is totally out of context and irrelevant to the facts of the case.
3. The Applicant is basically an agriculturist. The Applicant is also working to protect the wildlife and also for the betterment of the society. Further the Applicant is the president of Nagarik Hakku Horata Samiti, through which he is protecting the rights of the people in Karnataka. Till date the Applicant doesn't face any personal controversies from the society for whose upliftment he works.

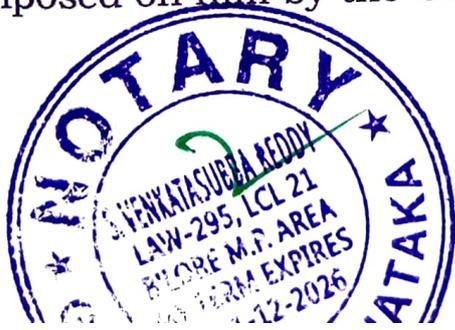


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4. To dispel the misconception created by the 1<sup>st</sup> Respondent the Applicant wishes to submit the following facts. The Applicant is fighting to protect wildlife and for the betterment of the society for past more than 10 years. In his said crusade the Applicant had given a number of representations to various departments within the Govt. of Karnataka. Due to which a lot of change has happened.

5. The 1<sup>st</sup> Respondent is trying to paint a negative picture about the Applicant by stating that he had withdrawn the complaint of sexual harassment against an ex-Karnataka Minister. The fact of the matter is, though, initially the Applicant had lodged a complaint against the Ex-Karnataka Minister before the concerned police station, but due to the instructions of the investigation officer that only the victim has to give complaint for sexual harassment so as to enable them to take action, the Applicant had withdrawn his Complaint. The withdrawal of the said complaint by the Applicant has nothing to do with the issue on hand. The Applicant's withdrawal of the sexual harassment complaint is in no way going to improve the case of the 1<sup>st</sup> Respondent, as he has violated and is violating the environmental and pollution control laws with impunity.

6. The 1<sup>st</sup> Respondent has taken umbrage against the Applicant and is throwing invectives against him as he has exposed his violations and that his resort would be shut down. The 1<sup>st</sup> Respondent has not followed any of the condition/directions imposed on him by the Official Respondents in running the resort.



7. It is to be noted that the Applicant had taken cudgels against so many violators and which details are furnished herein below.

- (i) The Applicant had taken against the **M/s Shilandra Resort** situated in Ramanagara District by filing **WP No.15003/2021**, on the file of Hon'ble High Court of Karnataka.
- (ii) He had taken action against **M/s Hampi Boulders Resort** situated in Koppala District by filing **WP No.104980/2023**, which is pending before Dharwad Bench of the Karnataka High Court.
- (iii) The Applicant has filed a PIL before the Hon'ble Apex Court against Union of India and others in **WP[C] No.000611/2019**, seeking for the issuance of specific guidelines and/or directions in respect to the conservation of elephants & other wildlife and to mitigate human-elephant conflict in Karnataka state and with special reference to Hassan-Kodagu Forest area and Mysore. The said petition is pending consideration.
- (iv) The Applicant had also preferred an Appeal - **SLP (Crl) No.000785/2019** before the Hon'ble Supreme Court against the order of the Karnataka High Court in **WP No.13102/2018**, which order was referred to by the 1<sup>st</sup> Respondent in his counter affidavit and a copy of which was



enclosed in his typed set of documents. The said Appeal is pending for consideration before the Apex court.

- (v) The Applicant had filed **WP No.405/2021** against the **Dinesh Singi** and others for nominating him as a member to the State Board of Wildlife and the said writ petition is pending before the Hon'ble High Court of Karnataka. The Applicant had also lodged a complaint against Ramalingaiah (former in-charge Deputy Director of Mines and Geology Department, Ramanagara) and others before the ACB Police for carrying out illegal quarry near Bannerghatta National Park. The ACB police has registered a case against the said Ramalingaiah & others.
- (vi) Further the Applicant has given representation, dated 27.12.2017 to the **Secretary, MoEF & CC, New Delhi**, by requesting them to take legal action immediately against the **Pioneer Pvt. Ltd., Atria Power Project, Ganalu, Limbavali Power Project, RMHP and Cauvery Hydro Power Projects** who were/are running illegal Hydel Projects in the Reserved Forests and Protected Areas without permission. In turn, the Ministry of Environment Forest and Climate Change, has directed, *vide* its letter dated 04.01.2018 to the Addl. Principal Chief Conservator of Forest, Bengaluru and directed to look in to the matter and submit report to the Ministry at the earliest.



11. Further the 1<sup>st</sup> Respondent had contended that the Applicant has not approached this Hon'ble Tribunal with clean hands, and that he has misled the authorities concerned. The Applicant is basically a wildlife and social activist and he doesn't have any vengeance against the 1<sup>st</sup> and the 2<sup>nd</sup> Respondents. Having come across the violations committed by the said Respondents the Applicant has approached this Hon'ble Tribunal for redressal. Therefore it is incorrect on the part of the 1<sup>st</sup> Respondent to allege that the Applicant has come to this court with un-clean hands.

12. The Applicant wishes to state that the intention of the 1<sup>st</sup> & the 2<sup>nd</sup> Respondents is only to make money, but not to keep the environment clean or protect the wildlife.

In view of the forgoing the Applicant most respectfully prays this Hon'ble Tribunal to allow his application and shut down the Discovery Village Resort run by the 1<sup>st</sup> and 2<sup>nd</sup> Respondents for having violating the environmental laws and rules.

Dated at Bengaluru on this 14<sup>th</sup> day of September, 2023

Applicant



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SWORN TO BEFORE ME

S. VENKATASUBBA REDDY  
ADVOCATE & NOTARY PUBLIC  
No. 1200, Doddathogur  
Electronics City Post  
BANGALORE - 560 100

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Voll. 2 Date 16/9/23

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**O.A NO. 49 OF 2023**

Dinesh Kallahalli ...Petitioner

VS

Prashanth Prakash & Others  
... Respondent

**REJOINDER FILED BY  
THE APPLICANT**

*Sp. Chockalingam  
Counsel for Petitioner*

**M/s. SP. CHOCKALINGAM [MS/861/1998]  
SURYAKUMAR. K [MS/3795/2021]  
COUNSEL FOR PETITIONER  
PH: 9840121245**