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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE
BENCH AT CHENNAI

(under Section 14 read with Section 18 (1) of the National Green Tribunal Act 2010)

Original Application No.69 of 2023

R.D.Raghu,
S/o. Ramakrishnan,
No.90C, Athukkadu, Somanur,
Coimbatore District – 641 668.
Phone : 7397354960
E-mail:-yaqooblafeel@gmail.com

Applicant

Vs.

1. The District Collector,
Coimbatore District – 641 018.
Phone : 0422 2301320
E-mail: collrcbe@nic.in
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIPCOT Industrial Estate,
Pollachi Main Road,
Kuruchi, Coimbatore District – 641 021.
Phone : 0422 – 2675608
E-mail : tnpcbcbbs@gmail.com.
3. The Commissioner,
Karumathampatti Municipality,
Coimbatore District – 641 668
Phone : 0421 233 3070
E-mail : ktpsomanur2016@gmail.com....

Respondents

19.7.23

COUNTER AFFIDAVIT FILED BY THE THIRD RESPONDENT

1. I respectfully submit that I am the 3rd Respondent in the above Application and I am well acquainted with the facts of the case from the records.

2. **At the outset, I respectfully submit that the above Application has been filed before this Hon'ble National Green Tribunal with an ulterior motive to stall the Project done by the Karumathampatti Municipality under the Prime Minister's Swachh Bharath Mission, from out of the funds contributed by the Government of India to make a clean, scientific and garbage free city.** This Scheme is a multipurpose project, collection of the garbage, making into minute granules, dumping in boxes, placed inside the earth for a period of one month and after the period of one month, it will be taken and distributed to the farmers as manure at the rate of Re.1/- per Kg. By this scientifically proved project, the entire garbage collected within the city of Karumathampatti Municipality will be destroyed, preserved, converted as natural manure and thereby the ecological system will be preserved without any bio pollution or air pollution or water pollution.

3. It is further respectfully submit that it seems that the Applicant is the original owner of land in SF No.117/2 of Karumathampatti Village sold to some 3rd party, having dispute among them, now attempting to block the project only for his personal benefit of getting back the land. Therefore the Applicant with an ulterior motive to stall the Project without any basis has filed this Application before the Hon'ble National Green Tribunal (Southern Zone). This Hon'ble National Green Tribunal (Southern Zone) has granted an Interim Order of direction to the Commissioner, Karumathampatti Municipality not to put up

M. A. S.

any construction as stated by the Assistant Engineer, Irrigation Department, Noyyal River Project said to be addressed to the third Respondent dated 03.07.2023. But no such reference has been received by the 3rd Respondent till date, from the Assistant Engineer, Irrigation Department, Noyyal River Project.

4. **Under such circumstances, it is humbly prayed that this Hon'ble National Green Tribunal, Southern Zone, Chennai may kindly be considered the case in proper perception and to vacate the Interim Order made in O.A.No.69 of 2023 (SZ) dated 05.07.2023 or otherwise the 3rd Respondent will be put to irreparable loss and the public interest will be defeated, as the Project is almost nearing completion with the assistance of Government of India at the cost of Rs.177 Lakhs with the subsidy from the Government of India. The 3rd Respondent also undertakes that no pollution of Noyyal River Water or air pollution will be noticed because of this Project in S.No.117/2 of Karumathampatti Village, Sulur Taluk, Coimbatore District.**

5. **I humbly submit further that the 3rd Respondent also undertakes before this Hon'ble National Green Tribunal that there is no compostyard or electrical crematorium is put up in S.F.No.117/2 of Karumathampatti Village, Sulur Taluk, Coimbatore District as contested by the Applicant which is not true. By the scientific advancement, the garbage collected in Karumathampatti Municipality has been granuled and kept in**

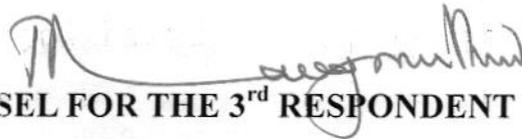
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boxes, submerged within the land in S.F.No.117/2 for one month and the garbage will not be dumped over the land as stated by the Applicant. The location of the Project in S.F.No.117/2 of Karumathampatti Village is about 1 KM from the living area and about 100 Metres from the Noyyal bank.

6. It is therefore humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to dismiss the above O.A.No.69 of 2023 and permit the 3rd Respondent to complete the Project in the interest of public at large and render justice.

A handwritten signature in black ink, appearing to be '19.9.23', written over a faint, illegible stamp.

SIGNATURE OF THE 3rd RESPONDENT

A handwritten signature in black ink, appearing to be 'S. S. Srinivasan', written over a faint, illegible stamp.

COUNSEL FOR THE 3rd RESPONDENT

VERIFICATION

I, A.Muthusamy, S/o. Thiru N.Arappa Gounder, Hindu, aged 51 years, residing at Manasipalayam, Kethanur Post, Palladam Taluk, Tiruppur District – 641 671, holding the post of 3rd Respondent, do hereby verify that the contents stated in the above paragraphs are true to the best of my knowledge and grounds are based on factual and legal advice and that I have not suppressed any material fact.

Date : 19.07.2023

Place :Karumathampatti


3rd RESPONDENT

**BEFORE THE NATIONAL
GREEN TRIBUNAL (SZ)
CHENNAI**

**MEMORANDUM OF
APPLICATION**

(Under Section 18(1) read with
Sections 14, 15 of National Green
Tribunal Act 2010)

**Application No. 69 of 2023
(SZ)**

R.D.Raghu,
S/o. Ramakrishnan,
No.90C, Athukadu, Somanur
Coimbatore District – 641 668.
... Applicant

Vs.

The District Collector,
Coimbatore District
and 2 others. ... Respondents

COUNTER FILED BY 3rd R.

S.N. Ravichandran [725/91]
R.D. Ashok Kumar [1965/16]

M/S. T.RANGANATHAN (29/2011)

T.J.LAKSHMIPATHY(1372/12)

P.KOTHANDARAMAN(832/20)

No.7,Mahalakshmi Nagar,

8th Cross Street,

Adambakkam,Chennai-88.

Cell No.9382892058

COUNSEL FOR THE 3RD RESPONDENT