

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

**EXECUTION APPLICATION No 8 OF 2023 (SZ)  
In  
ORIGINAL APPLICATION No 8 OF 2023 (SZ)**

IN THE MATTER OF

Selvaraju Duraisamy,  
Chennai

... Applicant

Versus

The State of Tamil Nadu,  
Rep. by its Secretary to Govt,  
Ministry of Environment & Forest,  
Chennai and Ors.

... Respondents

**REPORT FILED BY THE 4<sup>th</sup> RESPONDENT (CMWSSB)**

**DATE : 21.11.2023**

**PLACE : Chennai**



**M/s. GAUTAM S. RAMAN  
ADVOCATE  
STANDING COUNSEL CHENNAI METROPOLITAN WATER SUPPLY AND  
SEWERAGE BOARD**

No.89, Kasturi Avenue, R.A Puram, M.R.C Nagar, Chennai – 600 028.  
Mobile: 9940071160, Email: [gautamraman@gmail.com](mailto:gautamraman@gmail.com)

Counsel for 4<sup>th</sup> Respondent CMWSSB

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Place: Chennai

Date : 21.11.2023



**Counsel for 4<sup>th</sup> Respondent**

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

**E.A.No.08 of 2023 in Original Application No.8 of 2023 (SZ)**

**IN THE MATTER OF**

Selvaraju Duraisamy  
Chennai,

... Applicant(s)

Versus

- 1) The State of Tamil Nadu  
Rep. by the Secretary to Government,  
Ministry of Environment and Forests,  
Government of Tamil Nadu,  
Fort St. George,  
Chennai – 600 003
- 2) The Member Secretary  
State Level Environment Impact  
Assessment Authority (SEIAA),  
Tamil Nadu Panagal Maaligai,  
No.1 Jeehis Road,  
Saidapet, Chennai – 600 015.
- 3) The Member Secretary  
Tamil Nadu Pollution Control Board,  
No.76 Anna Salai, Guindy,  
Chennai – 600 032.
- 4) The Chennai Metropolitan Water Supply  
And Sewerage Board,  
Rep. by its Managing Director,  
No.1, Pumping Station Road,  
Chintadripet, Chennai – 600 031.



**Area Engineer X**  
**Area X, CMWSSB,**  
No.9, Muthukrishnan St,  
T.Nagar, Chennai -17.



**Superintending Engineer (South West)**  
**Chennai Metropolitan Water Supply & Sewerage Board,**  
Chintadripet, Chennai-600 002.

- 5) The Chennai Metropolitan Development Authority,  
Rep. by its Member Secretary,  
Thalamuthu Natarajan House,  
No.01 Gandhi Irwin Road, Ansari Estate,  
Egmore, Chennai – 600 008.
- 6) M/s Radiance Realty Developers India Limited  
Represented by its Managing Director  
/Chief Executive Officer  
Having registered office at  
No.480, Khiraj Complex II,  
Anna Salai, Nandanam,  
Chennai – 600 035.
- 7) M/s Radiance Facility Management  
Services Private Limited  
Represented by its' Managing Director/  
Chief Executive Officer  
Having registered office at  
1<sup>st</sup> Floor, Old Door No.110, New Door No.111,  
33 Feet Road, Anna Salai,  
Guindy, Chennai – 600 032.
- 8) M/s Radiance Icon Owners Association (RIOA)  
Represented by its' President/Secretary,  
Bearing Reg. No. SRG/Chennai Central /16/2022,  
No.1167 PH Road, Koyambedu,  
Chennai – 600 107.

... Respondent(s)

**STATUS/OBJECTION REPORT FILED ON BEHALF OF 4<sup>th</sup> RESPONDENT-**

**CMWSSBOARD**

I, S.Prema, D/o of Thiru. – M.Sithan aged about 56 years now working as Superintending Engineer (South West) in Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) having Office at No.1, Pumping Station Road, Chintadripet, Chennai – 600 002 do hereby solemnly affirm and sincerely state as follows:-



Area Engineer X  
(2024-2025) CMWSSB, Chintadripet  
No.9, Muthukrishnan St,  
T.Nagar, Chennai -17.



Superintending Engineer (South West)  
Chennai Metropolitan Water Supply & Sewerage Board,  
Chintadripet, Chennai-600 002.

1. I am the Superintending Engineer (South West) of the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), Chennai and I am filling this report on behalf of the 4<sup>th</sup> Respondent herein and well acquainted with the facts of the case from the connected files.

I am filling the interim status report on behalf of the Managing Director, Chennai Metropolitan Water Supply and Sewerage Board, Chennai – 600002, This Hon'ble Tribunal vide its order dated 20.02.2023 was pleased to dispose the above O.A vide No.08 of 2023 (SZ), the relevant portion of the order is extracted below:

1. *The Original Application is filed alleging certain breaches of conditions of the Environmental Clearance (EC) granted.*
2. *Though the allegation is that the conditions of the Environmental Clearance (EC) which was granted by the State Environmental Impact Assessment Authority (SEIAA) – Tamil Nadu were not complied with, it appears that the applicant has not made a complaint to the authority. The allegation of Sewage Treatment Plant (STP) not functioning properly as had been admitted by them in the Environmental Clearance (EC) also will come under the purview of the Tamil Nadu Pollution Control Board, if it is causing any pollution. It would be appropriate for the applicant to make a complaint even to the Tamil Nadu Pollution Control Board.*
3. *Besides, it is seen that the applicant is an individual, whereas the 12th respondent is the owner association. The complaint whatever is made by the individual would enure to the owners association also. It is not known why the individual has come before this forum when the association has not taken any steps.*
4. *At this juncture, the learned counsel for the applicant submitted that the association might have given a complaint to the authorities concerned. If that is so, we would only direct the authorities whoever had received the complaint*

  
Superintending Engineer (South West)  
Area Engineer X  
Area -X, CMWSSB,  
No.9, Muthukrishnan St,  
T.Nagar, Chennai -17.

  
Superintending Engineer (South West)  
Chennai Metropolitan Water Supply & Sewerage Board,  
Chintadripet, Chennai-600 002.

from the 12th respondent to consider the same after affording an opportunity of hearing to the association and pass appropriate orders.

5. In the event, the association or even the applicant had not made any application to the authorities concerned, it is still open to them to make an application within a period of 10 (Ten) days and on receipt of the same, the authorities concerned are directed to consider the same after affording an opportunity of personal hearing to the applicant and pass appropriate orders within a period of 4 (Four) weeks thereafter.
  6. With the above direction, this Original Application [O.A. No.08 of 2023 (SZ)] is disposed of"
2. It is respectfully submitted that maintenance and permission to put up an STP by a building association does not come within this Respondent's purview. It is submitted that this respondent is only concerned with construction of Sewerage systems within its jurisdiction and hence the issues of this Applicant cannot be addressed by this Respondent. Notwithstanding the same, I crave leave to submit that the following information before this Hon'ble Tribunal
1. M/s Radiance Realty Developers India Limited and its sister concerned have developed and constructed a high rise building of Multistoried Residential Apartments "Radiance Icon" 322 units at old door no.97, new door no.1167, poonamalle high road, Chennai – 600102 comprising in RS No.4, Block No.37, Koyambedu Village, Egmore – Nungambakkam Taluk, Chennai District, Tamil Nadu.
  2. From out of 322 dwelling units constructed only 270 dwelling units property tax have since been assessed by the Greater Chennai Corporation and no application was Registered with Chennai Metropolitan Water Supply and Sewerage Board for seeking service connection.

Area Engineer X  
Area - X, CMWSSB  
No.9, Muthukrishnan St.  
T.Nagar, Chennai -17.

Superintending Engineer (South West)  
Chennai Metropolitan Water Supply & Sewerage Board,  
Chintadripet, Chennai-600 002.

3. The Radiance Icon Owners Association secretaries approach the Chennai Metropolitan Water Supply and Sewerage Board Area X office requesting to avail water and sewer connection to their premises and necessary procedure for applying to avail house sewer connection have been informed to the representative of the said association and the same was also communicated vide this office letter dated 06.09.2022 and 03.05.2023 respectively, specifically stating the procedure for applying water and sewer connection. The communications exchanged between the Owners Association and this Respondent is annexed herewith as Annexure A and Annexure B.

The aforesaid status / objection report of the Chennai Metropolitan Water Supply and Sewerage board is hereby submitted before the Hon'ble National Green Tribunal for consideration.



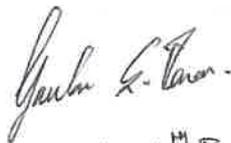
Area Engineer X  
Area -X, CMWSSB,  
No.9, Muthukrishnan St,  
T.Nagar, Chennai -17.



Superintending Engineer (South West)  
Chennai Metropolitan Water Supply & Sewerage Board,  
Chintadripet, Chennai-600 002.

Respondent

Solemnly affirmed at Chennai )(  
on this 10<sup>th</sup> day of Nov 2023 and )(  
signed his name in my presence )(  
)



Counsel for Respondent (CMWSSB)



481/2021

Before me  
Advocate: Chennai

I. Rollence Samuel.  
57, LeMHC, CH-104



## CHENNAI METROPOLITAN WATER SUPPLY AND SEWERAGE BOARD



PUBLIC INFORMATION OFFICER /  
AREA ENGINEER-X

No.9, Muthukrishnan Street, T.Nagar,  
Chennai - 600017.

Lr.No.CMWSSB/Area-X/RTI/005387/2022

Date : 06.09.2022

To  
D Selvaraju  
B1701 Radiance Icon,  
1167 Poonamallee High Road,  
Koyambedu,  
Chennai 600 107

Sir, Sub: CMWSSB - Area - X - Right to Information Act, 2005 - Information furnished - Reg

Ref: Petitioner's letter dated 22.08.2022 & received in this office on 02.09.2022.

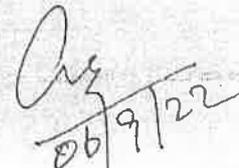
With reference to the letter cited above, the following particulars are furnished below:

S. No.	Information sought	Information given
1	Whether any application for metro water and sewerage connection filed by the builder pending with the office in respect of the MSB Radiance Icon, No 1167 PH Road, Koyambedu, Chennai 600 107?	As on today, no application was registered for seeking water and sewer connection.
2	Please refer the receipt dated 11.07.2017 issued by the CMDA to the builder (annexed herewith) in file No/PPA No C3(N) 598/2017, wherein the builder has paid Rs.53,50,000/- for CMWSSB. Whether the amount is credited to the account of CMWSSB or still with CMDA and what is the status of the payment made the builder for CMWSSB ? Please provide copies of documents to that effect.	The builder was paid for Rs 53,50,000/- for the IDC at the time of getting planning permission. The builder has not applied the application to CMWSSB for getting connections.

If you are not convinced with the above information given by me, you can go in for an appeal to the First Appellate Authority within 30 days from the date of receipt of this reply, as given below

Designation & Address  
of the First Appellate Authority

Superintending Engineer (South West)  
Chennai Metropolitan Water Supply &  
Sewerage Board,  
No 75 - Santhome High Road,  
M.R.C Nagar R A Puram  
Chennai 600 028.

  
 06/9/22  
 PUBLIC INFORMATION OFFICER /  
 AREA ENGINEER-X



## CHENNAI METROPOLITAN WATER SUPPLY AND SEWERAGE BOARD



AREA ENGINEER – X

To  
M/s Radiance Reality,  
1<sup>st</sup> floor D.No. 110, 33 feet road,  
Anna Salai, Guindy,  
Chennai – 600032.

Sub: CMWSSB – O&M – Area – X – D127 - M/s Radiance icon, (Multi storey residential building) located at 1167, PH Road, Koyembedu, Chennai – 600107 with 322 dwelling units – Requesting procedures for applying water/sewer connections along with charges - Reg.

Ref: Lr. From M/s. Radiance Icon dt 08.03.2023

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With reference to the above cited, it has been requested by M/s Radiance icon, (Multi storey residential building) located at 1167, PH Road, Koyembedu, Chennai – 600107 with 322 dwelling units towards the procedures for applying water/sewer connections along with charges for the above residential building.

In this connection, the site has been inspected and the water and sewer connections to the above residential buildings can be effected only by providing dedicated water and sewer mains as there is no existing water or sewer mains available in the said location of the building at Poonamalle High Road (National Highways – NH-48), Koyembedu, Chennai and it is more than 50 units of dwelling.

The dedicated water main for the above multistoried building will be provided from the Choolaimedu Head Works at Kalamman Koil street, Koyembedu and the 20% of treated sewage generated from the STP maintained by M/s. Radiance Icon can be allowed to deliver through by providing dedicated sewage pumping main to the existing STP at Kalamman Koil Street, Koyembedu after reusing of 80% sewage.

சென்னை நகராட்சி  
31/3/2023

In addition to that,

1. All the 322 dwelling units have to be assessed for paying the property tax and water tax along with completion certificate furnished by the CMDA.
2. The dedicated water and sewer mains have to be proposed on the alignment of National Highway road from the Radiance Icon to Jawaharlal Nehru Salai jn of Koyemebedu Grade seperator which is under the maintenance of NHAI and hence a special permission may be obtained for granting road cut permission with payment of required restoration charges.
3. Connection charges, Infrastructure Development Charges and Advance tax for non assessment of property tax and registration charges for the dedicated water main have to be paid by the applicant.
4. Disposal quantity of sewage and daily water supply requirements have to be furnished by the applicant for arriving size of the pipe.

The above procedures have to be followed for obtaining water and sewer connections through dedicated water and sewer main since it is a multi storied building.

  
2/5/23  
Area Engineer X

1. Copy submitted to CE(O&M)-I.
2. Copy submitted to SE(SW).

*Sined*  
*RM*  
*gmv*  
2/5/23  
976497177