

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

**O.A No. 84 of 2022 (SZ)**

**In the matter of:**

**East Kamaraj Nagar (North)**

Residents Welfare Association

Represented by Mr.M.N.Mahendar

Secretary

No.14, First East Street, Kamaraj Nagar

Thiruvanmiyur

Chennai – 600 041

Email : [mahendarmn@gmail.com](mailto:mahendarmn@gmail.com)

**...Applicant**

V/s

**The Commissioner,**

Greater Chennai Corporation Ripon Building & 4 Ors

**ADDITIONAL AFFIDAVIT FILED BY THE APPLICANT**

**KNS LAW CHAMBERS  
KAUSHIK N SHARMA  
Advocate (MS 1357/2004)  
No.13, Old No. 5/1, Jagadeswaran Street, T. Nagar.  
Phone No. 9962516118  
Email : [kaushiknsharma@gmail.com](mailto:kaushiknsharma@gmail.com)**

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE AT CHENNAI

O.A No. 84 of 2022 (SZ)

In the matter of:

**East Kamaraj Nagar (North)**

Residents Welfare Association

Represented by Mr.M.N.Mahendar

Secretary

No.14, First East Street, Kamaraj Nagar

Thiruvanmiyur

Chennai – 600 041

Email : [mahendarmn@gmail.com](mailto:mahendarmn@gmail.com)

...Applicant

V/s

**The Commissioner,**

Greater Chennai Corporation Ripon Building & 4 Ors

**VOLUME-I**

S.NO	DATE	PARTICULARS	PAGE NOS
1.	07.10.2023	Additional Affidavit filed by the Applicant	1-5
		<b>TYPED SET OF DOCUMENTS</b>	
2.	15.12.2016	The Status Report dated 15.12.2016 filed by the Storm Water Drain Department in OA. 219 of 2015 (SZ)-Annexure A1	6-12
3.	26.08.2022	The Report dated 26.08.2022 filed by the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) in OA. 84 of 2022 (SZ)-Annexure A2	13-19
4.	26.04.2023	The Report dated 26.04.2023 filed by the Tamil Nadu Pollution Control Board in OA.84 of 2022(SZ)-Annexure A3	20-25
5.		Map showing Storm Water Drains in the East Kamaraj-Annexure-A4	26
6.		Proof of Service	27

COUNSEL FOR APPLICANT

O.A No. 84 of 2022 (SZ)

In the matter of:

**East Kamaraj Nagar (North)**

Residents Welfare Association

Represented by Mr.M.N.Mahendar

Secretary

No.14, First East Street, Kamaraj Nagar

Thiruvanmiyur

Chennai – 600 041

Email : [mahendarmn@gmail.com](mailto:mahendarmn@gmail.com)

...Applicant

V/s

**1. The Commissioner,**

Greater Chennai Corporation Ripon Building

Chennai – 600 003

Email: [Commissioner@chennaicorporation.gov.in](mailto:Commissioner@chennaicorporation.gov.in)

**2. The Managing Director**

Chennai Metropolitan Water Supply

and Sewerage Board (CMWSSB)

75, Santhome High Road,

Pattinapakkam, Santhome,

Raja Annamalai Puram,

Chennai – 600 028

Email: [cmwssb@tn.gov.in](mailto:cmwssb@tn.gov.in) [md@cmwssb.in](mailto:md@cmwssb.in)

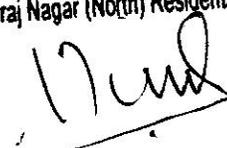
**3. The Zonal Officer**

Zone – XIII, Greater Chennai Corporation

No.115, Dr.Muthulakshmi Salai, Adyar

Chennai – 600 020

Email : [dcworks@chennaicorporation.gov.in](mailto:dcworks@chennaicorporation.gov.in)



**4. The Area Engineer/Executive Engineer**

Area – XIII, Chennai Metropolitan Water Supply

and Sewerage Board (CMWSSB)

No.42, 1<sup>st</sup> Main Road

Indira Nagar, Adyar

Chennai – 600 020

Email: [cmwssbarea13@gmail.com](mailto:cmwssbarea13@gmail.com)

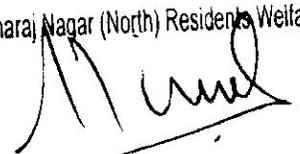
... Respondents

**ADDITIONAL AFFIDAVIT FILED BY THE APPLICANT**

I, M.N.Mahendar, aged about        years, Secretary of East Kamaraj Nagar (North) Residents Welfare Association, having office at No. 14, First East street, Kamaraj Nagar, Thiruvanmiyur, Chennai-600041, do hereby solemnly affirm and sincerely state as follows:

1. I hereby state that I am the Applicant in the main application OA.84 of 2023 (SZ) and I am well acquainted with the facts and circumstances of this case, therefore I am qualified to swear this Affidavit.
2. I hereby state that I am filing this additional Affidavit as to our shock and surprise, the Greater Chennai Corporation (the 3<sup>rd</sup> Respondent herein) had informed this Hon'ble Tribunal on 25.09.2023, that finding a permanent solution for the problem prevailing with respect to the Storm Water Drainage system in East Kamaraj Nagar is not possible due to various reasons.
3. I hereby state that the Applicant had also preferred an OA No. 219 of 2015 (SZ) requesting the following:
  - a. To connect the Storm Water Drain (SWD) of Radhakrishnan Nagar directly to Buckingham Canal without entering East Kamaraj Nagar
  - b. To ensure that the SWD in East Kamaraj Nagar (North) are connected to the Buckingham Canal.
  - c. To prevent water flooding in East Kamaraj Nagar during rainfall.

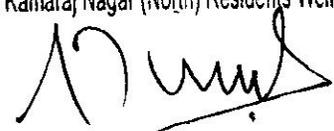
I hereby further state that this Hon'ble Tribunal had disposed the said application directing the Respondents namely GCC, CMWSSB, Storm Water Drains Department to complete the construction of the Storm water drainage system that was incomplete and to take appropriate action.



4. I hereby state that as there was leakage of raw sewage from the Sewage Mains into the Storm water Drain and there was a dire need for reconstruction of the CMWSSB Mains Chamber and Storm Water Drain, the Applicant association had preferred the present Main Application OA 84 of 2022 (SZ).
5. I hereby state that the Storm Water Drain Department had filed a Status report dated 15.12.2016 in OA. 219 of 2015 (SZ), the following observations were made;
- i. In Page 5-Para 4, it has been stated that there were innumerable BSNL cables underneath which was removed during the execution of construction of the remaining Storm water drainage system and there are few cables left which are to be rerouted by them and it was also informed to the BSNL Department.
  - ii. In Page 6-Para 3- it has been stated that the Greater Chennai Corporation will study the functioning of Storm Water Drainage network system in the entire West Kamaraj Nagar area and evolve suitable designs and take appropriate action which technologically feasible.

The Status Report dated 15.12.2016 filed by the Storm Water Drain Department in OA. 219 of 2015 (SZ) has been annexed herewith as **Annexure-A1**.

6. I hereby state that the BSNL has rerouted the connections but has left the dead cable lying inside the Storm Water Drain system due to which free-flow of water is restricted causing stagnation.
7. I hereby state that when the Storm Water Drain (SWD) crossing the New LB road was constructed it was 2 to 3 feet higher than the Kamaraj Nagar as a 400 mm Sewage Mains Pipe was crossing under the SWD and therefore, it was not possible to increase the depth of the SWD.
8. I hereby state that the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), the 4<sup>th</sup> Respondent herein had filed a Report dated 26.08.2022 in OA. 84 of 2023 (SZ), stating that the 400 mm dia sewer pumping main was enlarged to 700mm dia to improve the sewage pumping and conveying capacity treatment and for the safe disposal at Perungudi Sewage treatment Plant. The Sewage mains takes a different route and crosses the Buckingham Canal near Indra Nagar.

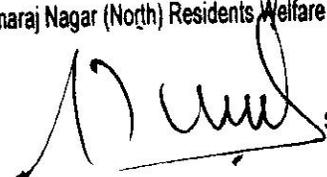


The Report dated 26.08.2022 filed by the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) in OA. 84 of 2022 (SZ) is annexed herewith as **Annexure-A2**.

9. I hereby state that this Hon'ble Tribunal had directed the Tamil Nadu Pollution Control Board to inspect and file a Report vide order dated 02.03.2023 in O.A.84 of 2022. The Tamil Nadu Pollution Control Board had filed its Report dated 26.04.2023, the following observations and suggestions were made:

- a. It was ascertained that BSNL cables cross the storm water drain at LB Road and it may obstruct the free flow of storm water in case of floatable solid waste materials struck over the cable.
- b. The BSNL officials have also claimed that BSNL cables were laid much before the storm water drains were constructed in that area and due consideration was not given while constructing the storm water drain above or below the said cables.
- c. However, it is the duty of the Greater Chennai Corporation to maintain gradient while designing and constructing the storm water drain based on the topography of the region and the reconnaissance survey done by them. Hence the Greater Chennai Corporation may be advised to carryout detailed study to verify the gradient of the storm water drain and to take corrective measures for the free flow of storm water to ensure complete disposal of storm water in the Beckenham canal.
- d. After ensuring the proper gradient for the storm water drain, the BSNL may be re-laid the cable in consultation with the GCC.
- e. The Zonal officer, Zone-XIII Greater Chennai Corporation may be directed to ensure to prevent the disposal of sewage and any other disposal of waste in the storm water drain LB Road-ECR junction.
- f. The CMWSSB shall not dispose any treated or untreated sewage into storm water drain and to ensure the complete collection of sewage and to treat the same in the existing Sewage Treatment Plant nearby and not to dispose the either treated or untreated sewage in the storm water drain.

For East Kamaraj Nagar (North) Residents Welfare Association

 Secretary

The Report dated 26.04.2023 filed by the Tamil Nadu Pollution Control Board in OA.84 of 2022(SZ) has been annexed herewith as **Annexure-A3**

10. I hereby state that the Storm water Drain of Kamaraj Nagar which Joins at LB Road, Thiruvanmiyur is less than 500 Meters Buckingham Canal. I hereby further state that the SWD from the LB Road Signal runs 500 meters into Buckingham Canal and is 12 to 15 ft lower than the SWD.

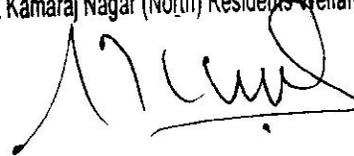
The Map showing the Storm Water Drain in East Kamaraj Nagar is annexed herewith as **Annexure-A4**

11. I hereby state that considering the above-mentioned issues prevailing in the East Kamaraj Nagar with respect to the Storm Water Drain, the following suggestions are placed before this Hon'ble Tribunal for consideration:

- a. To reconstruct the SWD, 4 to 5 feet lower than the present depth from the Kamaraj Nagar SWD junction near Thiruvalluvar Salai through LB Road Signal alongside West Kamaraj Nagar up to the Buckingham canal.
- b. As the SWD is a precast structure running across LB Road Signal crossing for about 70 feet, the SWD can be relocated in a lower level.

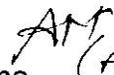
12. Therefore, in these circumstances, it is prayed before this Hon'ble Tribunal that the suggestions placed by the Applicant may be considered and taken on record and pass any such further orders as this Hon'ble Tribunal may deem fit and proper in the interest of justice and thus render justice.

For East Kamaraj Nagar (North) Residents Welfare Association

 Secretary

Solemnly affirmed at  
Chennai on this the 07<sup>th</sup> day of  
October, 2023

DEPONENT

Before me,   
(A.C.P. Balakumar)  
MS 1917/2014  
#144, KKR Gardens,  
Madhavaram.  
Advocate, Chennai

1  
6

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

Application No.219 of 2015(SZ)

In the matter of

East Kamaraj Nagar(North) Residents Welfare Association,  
Represented Secretary,  
14, First East Street,  
Kamraj Nagar,  
Chennai 600 041

... Applicant

Vs

1. Corporation of Chennai,  
Represented by Commissioner,  
Ripon Buildings,  
Chenna-600 003
2. Regional Joint Commissioner(South),  
Corporation of Chennai, Adyar,  
Chennai - 600 020
3. Deputy Commissioner(Health),  
Corporation of Chennai,  
Chennai-600 003
4. City Health Officer,  
Public Health Department,  
Corporation of Chennai,  
Ripon Building,  
Chennai-600 003
5. Superintending Engineer,  
Storm Water Drain Department,  
Corporation of Chennai,  
Ripon Buildings,  
Chennai-600 003
6. Managing Director,  
Chennai Metropolitan Water Supply and Sewerage Board,  
No.1, Pumping Station Road,  
Chindadripet,  
Chenna-600002

*S.S.W.*  
SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

7. District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
6/1, Murugesan Street, Sri Jothi Complex,  
Opp. Hotel Vijay Park, Near MMDA Bus Stop.  
Arumbakkam, Chennai-600 106
  8. Chairman,  
Tamil Nadu Pollution Control Board,  
Corporate Office,  
76, Anna Salai,  
Guindy, Chennai-600032
  9. Chairman  
Central Pollution Control Board,  
Secretariat,  
Chennai-600 009
  10. Secretary to the Government,  
Department of Health and Family Welfare,  
Secretariat,  
Chennai-600 009
  11. Principal Secretary to the Government,  
Public Works Department,  
Secretariat,  
Chennai-600 009
  12. Principal Secretary to the Government,  
Department of Environment and Forests,  
Secretariat,  
Chennai-600 009
- ... Respondents.

**STATUS REPORT FILED BY THE 1 to 5 RESPONDENTS**

I, S.Sakthimanikandan, S/o P.P.C.Shanmugam, aged 51 years and working as Superintending Engineer, Greater Chennai Corporation and having office at Ripon Building, Chennai -600 003, do hereby solemnly affirm and sincerely state as follows:-

S.S.

SUPERINTENDING ENGINEER  
WATER AND SEWERAGE DEPARTMENT

I am filing this report on behalf of the Commissioner, Greater Chennai Corporation and I am well acquainted with the facts of the above case as per available records.

I respectfully submit that the Hon'ble NGT has issued the following directions in this matter on 12.01.2016.

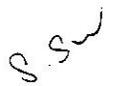
" a) There is no connectivity of storm water drain from Radhakrishnan Nagar to East Kamaraj Nagar(North). During the recent heavy rain fall, the flooded rain water was pumped from Radhakrishnan Nagar to East Kamaraj Nagar(North), because, water level was highly raised in many houses of that area. But, pumping was then stopped and pumped water was diverted to other directions.

b) The collected rain water in the area of East Kamaraj Nagar(North) has to flow only through Thiruvalluvar Salai, Thiruvanmiyur-LB Road Signal, then through, West Avenue and finally disposing into South B Canal. But at signal there is very old drain existing, which is in dilapidated condition and rain water is not flowing freely in this old drain during the rain.

c) A few years before, Chennai Corporation has started constructing a storm water drain(Pre-cast) at this junction point but first half of the portion only, was completed and remaining part of the Construction could not be constructed due to non availability of police permission, existence of electrical cables, pipes etc.,

With respect to the above directions it is submitted that

a) There is no connectivity of storm water drain from Radhakrishnan Nagar to East Kamarajar Nagar(North). The stagnated

  
SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

water of Radhakrishnan Nagar was now separately taken and diverted into other direction through MG Road by re-constructing the storm water drain of Radhakrishnan Nagar and it is functioning well. Rain water will not be pumped into East Kamarajar Nagar, hereafter. Suitable instructions were given to Zonal Officer XIII. However, it is submitted that East Kamarajar Nagar(North) is very low-lying area and it is almost 2 to 3 feet below the level of Kalashetra Main Road on one boundary and Thiruvalluvar Salai of East Coast Road(ECR) and hence any runoff of water immediately gets stagnated here but disposed through the storm water drain constructed across L.B. Road through west Avenue which disposes into B Canal now.

It is further submitted that, with regard to the submission made by the Applicant that, rain water will only drain through the newly constructed storm water drain and it will not flow to any other place like West Kamarajar Nagar or to any direction.

It is also submitted that, due to low earth level that is 2 feet from other earth level, in and around the East Kamarajar Nagar, the stagnated water which is lying in this 2 feet low earth level, has to be pumped through motor and there is no other alternative way to drain the said water.

b) The existing very old drain which was in dilapidated condition was completely closed and a new pre-cast drain was laid connecting Thiruvalluvar Salai in Eastern side and West Avenue in Western side at Thiruvanmiyur LB Road signal with ineffable struggle in shifting the utilities in coordination with service departments.

S.S.~  
SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

c) The first half of the portion of storm water drain which was constructed earlier was totally closed and a new pre-cast drain was laid in this junction with the traffic police permission and executed the work during the night hours in view of the heavy traffic flow.

It is further submitted that the Applicant has filed objections to the affidavit filed by the Greater Chennai Corporation, and the Greater Chennai Corporation submits their response as follows;

With regard to the para No.4 a) of the objections it is submitted that the NOC of the Traffic Police had been given only for few hours from 11.00 pm to 5.00 am that too on Saturday and Sunday. Hence, earth work, laying of pre-cast slabs and covering top slab could be carried out only meter by meter. So, the time taken for the work is only minimum due to the nature of work. Further the road is also busiest always since it is the only route for the vehicles plying from East Coast Road.

With regard to the para No.4 b) of the objections it is submitted that, there are innumerable BSNL cables underneath were removed by them while execution of work, which also taken substantial time, and few cables are to be rerouted by them which was informed to BSNL.

With regard to the para No.4 c) of the objections it is submitted that, there were High Tension and Low Tension cables of TANGEDCO underneath which were removed by them which also took considerable time. But, few cables are to be rerouted by them which was also informed to TANGEDCO.

S.S~  
SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

With regard to the para No.5 to 8 of the objections, it is submitted that, as already stated by this respondent, that the existing very old drain which was in dilapidated condition was completely closed and a new pre-cast drain was laid connecting Thiruvalluvar Salai in Eastern Side and West Avenue in Western Side at Thiruvanmiyur Signal in L. B. Road, thereby ensuring free flow of water from East to West side and thereafter connecting into Buckingham Canal with the existing storm water drain. This was confirmed by the inspection of the officials of this respondent on 08.11.2016.

It is further submitted that, East Kamarajar Nagar(North) is very low lying area and it is almost 2 to 3 feet below level of Kalashatra Main Road on one boundary and Thiruvalluvar Salai of East Coast Road(ECR) on other side. Any runoff water immediately gets stagnated here but disposed through the storm water drain constructed across L.B. Road into B Canal now. Further, the stagnated water will be pumped out using motor pump set through this newly constructed storm water drain.

With regard to the Para No.9 and 10 of the objections it is submitted that Greater Chennai Corporation will study the functioning of storm water drain network system in the entire West Kamaraj Nagar area and evolve suitable designs and take appropriate action which technologically feasible.

Therefore, it is submitted that the prayer of the applicant has been fully complied with and nothing survives in this application now.



SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

It is therefore prayed that this Hon'ble Tribunal may be pleased to pass suitable order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai on

On this the 15<sup>th</sup> day of December, 2016

and signed his name in my presence

}

}

}

*S. S.*  
**BEFORE ME**  
SUPERINTENDING ENGINEER  
STORM WATER DRAIN DEPARTMENT

**ADVOCATE,**

**CHENNAI.**

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

Original Application No.84 of 2022 (SZ)

IN THE MATTER OF

East Kamaraj Nagar (North)  
Residents Welfare Association  
Represented by its Secretary  
Mr. M.N. Mahendar  
No.14, First East Street, Kamaraj Nagar  
Thiruvanmiyur, Chennai 600 041.

... Applicant(s)

Vs

1. The Commissioner  
Greater Chennai Corporation  
Ripon Building  
No. 53, Raja Muthiah Road, Kannapar Thidal  
Periyamet, Chennai – 600 003
2. The Managing Director  
Chennai Metropolitan Water Supply and Sewerage Board  
75, Santhome High Road, Pattinapakkam, Santhome  
Raja Annamalaipuram, Chennai -600 028
3. The Zonal Officer  
Zone – XIII, Greater Chennai Corporation  
No.115, Dr.Muthulakshmi Salai, Adyar  
Chennai – 600 020.
4. The Area Engineer/Executive Engineer  
Area XIII,  
No.42, 1st Main Road, Indira nagar,  
Adyar, Chennai – 600 020.

... Respondent(s)

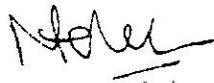


... ..

**REPORT FILED ON BEHALF OF THE 2<sup>ND</sup> & 4<sup>TH</sup> RESPONDENT**

1. I, S.Ravindranathan, S/o K.Subbaiyan, Hindu aged about 59 years, working as Superintending Engineer (South) in the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), representing the Managing Director who is the 2<sup>nd</sup> respondent and the Area Engineer XIII who is the 4<sup>th</sup> Respondent in the above case.
2. I am herein and well acquainted with the facts and circumstances of the case from the connected files.
3. The present Application has been filed seeking the following reliefs:
  - a. To direct the Respondents to take immediate action to prevent mixture of raw sewage from the Sewage Mains to the Storm Water Drain in East Kamaraj Nagar (North) Area;
  - b. To direct the Respondent No.2 and 4 to immediately reconstruct the CMWSSB Mains Chamber in 1<sup>st</sup> to 4<sup>th</sup> East Kamraj Nagar and Siva Sunder Avenue 1<sup>st</sup> and 2<sup>nd</sup> Street Kamraj Nagar;
  - c. To direct the Respondent No.1 and 3 to reconstruct the Storm Water Drain in 2<sup>nd</sup> and 3<sup>rd</sup> Street in East Kamraj Nagar;

4. The Respondent herein submits that pursuant to the directions of this Hon'ble Tribunal vide O.A No.219 of 2015 dated 12.1.2016 the work of enlarging the existing 400mm dia sewer pumping main with a 700mm dia CI sewer pumping main from the Indira Nagar Sewage pumping station to the nearest relay Sewage Pumping station at Lattice Bridge Road Pumping Station has been done to improve the sewage pumping and conveying capacity for treatment and safe disposal at Perungudi Sewage treatment plant. In continuation to the above, the



**AREA ENGINEER - XIII  
C. M. W. S. S. Board  
42 1st Main Road**



**Superintending Engineer (South)  
Chennai Metropolitan Water Supply & Sewerage Board  
Chintadripet, Chennai-600 062**

sewage outfalls in this area have been plugged. The existing Sewage System is adequate to ensure that there no overflow/ mixing of sewage into the storm water drains.

5. It is further submitted that the mixing of Sewer into the Storm Water Drains occurred during the months of October- December 2021 when there occurred unprecedented rainfall in the city of Chennai and the entire area in East Kamaraj Nagar & Siva Sunder Avenue were affected. The rain water did not drain and were stagnated in the streets entered inside the sewerage system. As the sewerage system of CMWSSB is designed and meant for collecting and conveying sewage only, the unprecedented rain fall lead to surcharge condition and led to backflow of sewage in certain low lying houses. The sewage was immediately removed by using the super sucker machines, private sewer Lorries operated by the CMWSS Board. Also, the dewatering pumpsets of various capacities were arranged to pump out the excess rainwater stagnation to avoid inundation and given quick relief to the public within a few days of excess rainfall.

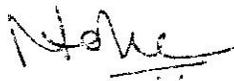
6. After rainy season there are no issues of recurrent sewer obstruction / leak or overflow from the Maintenance holes or from the sewer mains at 1<sup>st</sup> to 4<sup>th</sup> Streets and Siva Sunder Avenue 1<sup>st</sup> and 2<sup>nd</sup> Street in Kamaraj Nagar East, Thiruvanmiyur, Chennai-41. Further it is noticed that there is no linkage of sewerage system with the storm drains during inspection. The CMWSSB is also not letting out Sewage into the Storm Water Drains. Complaints received from the residents or public pertaining to the water supply and sewage disposal has been attended then and there without any delay.



7. It is humbly submitted that upon inspection of the Machine holes chambers at 1st to 4th streets and in Siva Sunder Avenue 1st and 2nd Streets in Kamaraj Nagar East, Thiruvanmiyur, Chennai-41, the chambers are found in good and serviceable condition and there is no leakage of sewage. All the Maintenance holes (Chambers) in the streets in East Kamaraj Nagar and Sivasunder Avenue in Thiruvanmiyur area are in good and serviceable condition for which photos of such maintenance holes are put up for perusal of this Honourable Court. These maintenance hole chambers are periodically desilted and flushed out as a part of regular preventive maintenance measure to ensure free flow of sewage by gravity to the nearest sewage pumping station. Further it is submitted that the existing maintenance hole stated as 50 years old is incorrect and it is in good condition and the same does not require to be rebuilt now.

8. It is respectfully submitted that the complaint mentioned in the letter given by the zonal health officer vide letter dated 22.06.2021 to the Area Engineer XIII, based on the complaint "illegal draining of sewage to SWD" given by Thiru.V.Ramakrishnan vide complaint registration no. 701MKS dated 15.04.2021 was rectified by plugging the illegal sewer connection found inside the storm water drain.

9. Even after several preventive actions, repeated complaints regarding the mixing of sewage into the storm water drain was reported by the petitioner. Hence a joint inspection was conducted along with the Petitioner, and GCC officials on the allegations of ingress of sewage into the storm water drain. It is humbly submitted that upon joint inspection by CMWSSB and GCC officials, It was noticed that three Machine holes were in dilapidated condition and it was also stated that seepage of sewage into the adjacent SWD and requested to rectify the same.



AREA ENGINEER - XIII  
C. M. W. S. S. Board  
42 1st Main Road  
Indira Nagar

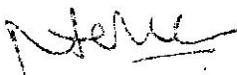


Superintending Engineer (South)  
Chennai Metropolitan Water Supply & Sewerage Board,  
Chintadripet, Chennai-600 002.

Accordingly, the above mentioned Machine holes have been dismantled and reconstructed immediately.

10. Even after several preventive actions, repeated complaints regarding the mixing of sewage into the storm water drain was reported by the petitioner. Hence a joint inspection was conducted along with the Petitioner, and GCC officials on the allegations of ingress of sewage into the storm water drain. In this regard, yet another joint inspection was carried out at the above location and it was noticed that sullage/ sewage water from L.B.Road SWD is backflowing into the East Kamaraj Nagar Storm water drain. Upon checking it is found that some of the Commercial establishments along Lattice Bridge road in Area-XIII inspite of having regular sewage connections with CMWSSB are letting out sullage/sewage water illegally into the storm water drain which affects the residents of East Kamaraj Nagar. The Respondent herein has communicated this transgression committed by these commercial establishments to the GCC, for taking immediate action.

11. Further at the terminal point of the Storm water drain in Lattice bridge road, a bunch of BSNL cables crossing the drain obstructs the flow leading to stagnation/ reverse flow in the drain at the East Kamaraj Nagar. In this regard, the officials of GCC has arranged for removal of silt in the storm water drain and also made necessary arrangements for rerouting of BSNL cables. Hence it is submitted that there is no sewage flow inside the storm water drain from the CMWSSB sewerage system as per the site inspection.



AREA ENGINEER - XIII  
C. M. W. S. S. Board  
42 1st Main Road  
Indira Nagar, Area XIII,  
Chennai - 26.



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

12. It is respectfully submitted that the Respondent Board has attended to the sewer complaints received from the Resident public and the Petitioner's Association immediately without any delay. Also the periodical desilting and flushing of sewer system is being done as a part of regular preventive maintenance measure to ensure free flow of sewage by gravity to the nearest sewage pumping station using the mechanized vehicles like Jet rodding Vehicles, desilt auto and super sucker machines to avoid sewer obstruction/ overflow complaints. It is further reaffirmed that there is no flow/ let out of sewage from the CMWSSB sewer system into the storm water drain in the suit area. Further it is submitted that the existing machine hole chambers which are stated as 50 years old is incorrect and it is in good serviceable condition and the same does not require any reconstruction at present. However in event of any damages to these machine holes in future, the same will be repaired/ reconstructed as and when required.

Hence, it is therefore humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to accept my response on behalf of the Board and thus render Justice.



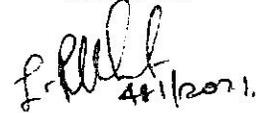
AREA ENGINEER - VIII  
C. M. W. S. S. Board  
42 1st Main Road  
Indira Nagar, Adyar,  
Chennai - 20.

Solemnly affirmed at Chennai  
on this 26<sup>th</sup> day of August 2022  
and signed his Name in my  
presence



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

Before me



Advocate, Chennai  
I. Rollence Samuel,  
57, LC, MHC, CH - 104

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

O.A No. 84 of 2022 (SZ)

IN THE MATTER OF

East Kamaraj Nagar (North)  
Residents Welfare Association

... Applicant

Vs

The Commissioner  
Greater Chennai Corporation  
And others

... Respondents

Report filed on the 2<sup>nd</sup> and 4<sup>th</sup> Respondent

Gautam S.Raman  
Counsel for Respondents 2 and 4  
CMWSSB

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.

Original Application No 84 of 2022

East Kamaraj Nagar (North)  
Residents Welfare Association,  
Represented by M.N. Mahendran,  
Secretary, No.14, First East Street Kamaraj Nagar,  
Thiruvanmiyur, Chennai - 600 041.

Applicant

Vs

The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai - 600 003 and others.

Respondents

INDEX

S.No	Description	Page No.
1.	REPORT FILED ON BEHALF OF THE 5 <sup>TH</sup> RESPONDENT- TAMIL NADU POLLUTION CONTROL BOARD.	1-4



Filed by  
Thiru. Sai Sathya Jith  
Advocate, Chennai.

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

**Original Application No.84 of 2022.**

East Kamaraj Nagar (North)  
Residents Welfare Association,  
Represented by M.N. Mahendran,  
Secretary, No.14, First East Street Kamaraj Nagar,  
Thiruvanmiyur, Chennai – 600 041.

... APPLICANT

Vs

The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai – 600 003 and others.

... Respondents

**REPORT FILED ON BEHALF OF THE 5<sup>TH</sup> RESPONDENT  
TAMIL NADU POLLUTION CONTROL BOARD.**

I, J. Josephine Sahayarani, D/o. Jesu Rajan, Christian, aged about 57 years, having office at No.76, Mount Salai, Guindy, Chennai-600 032. do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board and I am filing this Report on behalf of the 5<sup>th</sup> Respondents Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the petitioner East Kamaraj Nagar North Residents Welfare Association Represented by its Secretary Thiru M.N. Mahendar has filed an application before Hon'ble NGT (SZ) with the following prayer:

- a. To take immediate steps to prevent mixture of the storm water drain and the sewage lines in the East Kamaraj Nagar (North)
- b. To direct the respondents to take immediate action to prevent mixture of raw sewage from the sewage mains to the storm water drains in East Kamaraj Nagar (North) area.
- c. To direct the respondents No 2 & 4 to immediately reconstruct the CMWSSB mains Chamber in 1<sup>st</sup> to 4<sup>th</sup> East Kamaraj Nagar and Siva Sunder Avenue 1<sup>st</sup> and 2<sup>nd</sup> street in Kamaraj Nagar
- d. To Direct the Respondent No 1 & No 3 to reconstruct the storm water drain in 2<sup>nd</sup> and 3<sup>rd</sup> street in East Kamaraj Nagar

  
 J. JOSEPHINE SAHAYARANI  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 CHENNAI - 600 003

2. It is respectfully submitted that this Hon'ble Tribunal in its Order dated 30.09.2022 has impleaded the Tamil Nadu Pollution Control Board has 5<sup>th</sup> respondent in this matter and directed to file reply.

3. It is further submitted that the Hon'ble Tribunal further directed in its Order dated 02.03.2023 inter alia as follows:

*Para 6. Therefore, we direct the (i) Deputy General Manager - BSNL, Adayar, (ii) Managing Director - Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) and (iii) Commissioner - Greater Chennai Corporation to depute appropriate representatives of their departments to carry out the joint inspection in this regard.*

*Para 7. The District Environmental Engineer - Tamil Nadu Pollution Control Board, Chennai will be the nodal agency to organise the joint inspection and file an appropriate report. Let the authorities identify the problem (if any) in the above issue and come up with a solution which can be executed jointly.*

*Para 8. At the time of inspection, let the applicant's association also be put on notice"*

4. It is respectfully submitted that in due compliance with the orders dated 30.09.2022 & 02.03.2023 by this Hon'ble Tribunal, it is submitted that the petitioner and respondents were issued with notice of inspection by the Tamil Nadu Pollution Control Board vide letter dated 31.03.2023. Subsequently inspection was carried out on 01.04.2023 at 9.15 A.M. at the area in dispute along with the following officials in the presence of the petitioners:

- i. Zonal Officer, Zone-XIII (Adyar) of Greater Chennai Corporation.
- ii. Executive Engineer Zone-XIII (Adyar) of Greater Chennai Corporation.
- iii. Assistant Engineer, Zone-XIII (Adyar) of Greater Chennai Corporation.
- iv. Assistant Executive Engineers and Assistant Engineer (Area -XIII)
- v. The Deputy General Manager, Bharat Sanchar Nigam Limited (BSNL), Adyar.

Further, Thiru. M.N. Mahendar, Secretary, East Kamaraj Nagar (North) Residents Welfare Association was also present during joint inspection.

*J. S. Kumar*  
26/4/2023

During the inspection the following observations were noticed:

- i. The Storm water drain at LB Road-ECR junction was inspected, wherein no sewage flow was observed. It was reported that CMWSSB & Greater Chennai Corporation regularly monitor the storm water drains in order to stop the illegal disposal of sewage into Greater Chennai Corporation storm water drains by the adjacent commercial establishments.
- ii. It was observed that the storm water drains laid at East Kamaraj Nagar was found to be at lower level with respect to the storm water drain at LB Road -ECR junction. In this regard, it was reported by the Greater Chennai Corporation that because of low lying topography of East Kamaraj Nagar, the free gravitational flow of storm water towards storm water drain at LB Road-ECR Road junction is not possible.
- iii. Greater Chennai Corporation officials and Petitioners affirmed that during rainy seasons storm water from drains at East Kamaraj Nagar is being pumped into storm water drain at LB Road-ECR Junction as a temporary measure.
- iv. The petitioners made the request during inspection is to ensure free flow of storm water drain at LB-ECR Junction without any obstacles which will reduce the flood inundation at the streets of East Kamaraj Nagar.
- v. The petitioners insisted that the BSNL cables obstruct free flow of storm water drain at LB Road-ECR junction and hence it has to be rerouted.
- vi. The petitioners also requested during inspection to find a permanent solution to ensure free gravitational flow of storm water during rainy seasons to prevent flooding.

5. It is respectfully submitted that the based on the said joint inspection, the following views and suggestion are submitted for the consideration of Hon'ble National Green Tribunal is as follows.

- i. It was ascertained that BSNL cables cross the storm water drain at LB Road and it may obstruct the free flow of storm water in case of floatable solid waste materials struck over the cable.
- ii. The BSNL officials have also claimed that BSNL cables were laid much before the storm water drains were constructed in that area.

  
 26/11/2023  
 IN WITNESS WHEREOF, I have signed  
 this order on this day of 26th November 2023.  
 JUDGE (ADJUTANT) & MEMBER (JUDGE)  
 NATIONAL GREEN TRIBUNAL

and due consideration was not given while constructing the storm water drain above or below the said cables.

iii. However, it is the duty of the Greater Chennai Corporation to maintain gradient while designing and constructing the storm water drain based on to the topography of the region and the reconnaissance survey done by them. Hence the Greater Chennai Corporation may be advised to carryout detailed study to verify the gradient of the storm water drain and to take corrective measures for the free flow of storm water to ensure complete disposal of storm water in the Beckenham canal.

iv. After ensuring the proper gradient for the storm water drain, the BSNL may be re-laid the cable in consultation with the GCC.

v. The Zonal officer, Zone-XIII Greater Chennai Corporation may be directed to ensure to prevent the disposal of sewage and any other disposal of waste in the storm water drain LB Road-ECR junction.

vi. The CMWSSB shall not dispose any treated or untreated sewage into storm water drain and to ensure the complete collection of sewage and to treat the same in the existing Sewage Treatment Plant nearby and not to dispose the either treated or untreated sewage in the storm water drain.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such order as it may deem fit and proper in this facts and circumstance of the case and thus render justice.

*J. Josephine Sahayrani* 26/12/23  
 J. JOSEPHINE SAHAYRANI  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 CHENNAI  
 BEFORE ME

#### VERIFICATION

I, J. Josephine Sahayrani, D/o. Jesu Rajan, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, do hereby verify that the contents of above report are true to the best of my knowledge through records.

*J. Josephine Sahayrani* 26/12/23  
 J. JOSEPHINE SAHAYRANI  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 CHENNAI  
 BEFORE ME

BEFORE THE HON'BLE  
NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI.

Original Application No.84 of 2022

East Kamaraj Nagar (North)  
Residents Welfare Association,  
Represented by M.N. Mahendran,  
Secretary, No.14, First East Street Kamaraj Nagar,  
Thiruvanniyur, Chennai - 600 041.

..Applicant

Vg

The Commissioner,  
Greater Chennai Corporation,  
Ripon Building,  
Chennai - 600 005 and others

..Respondents

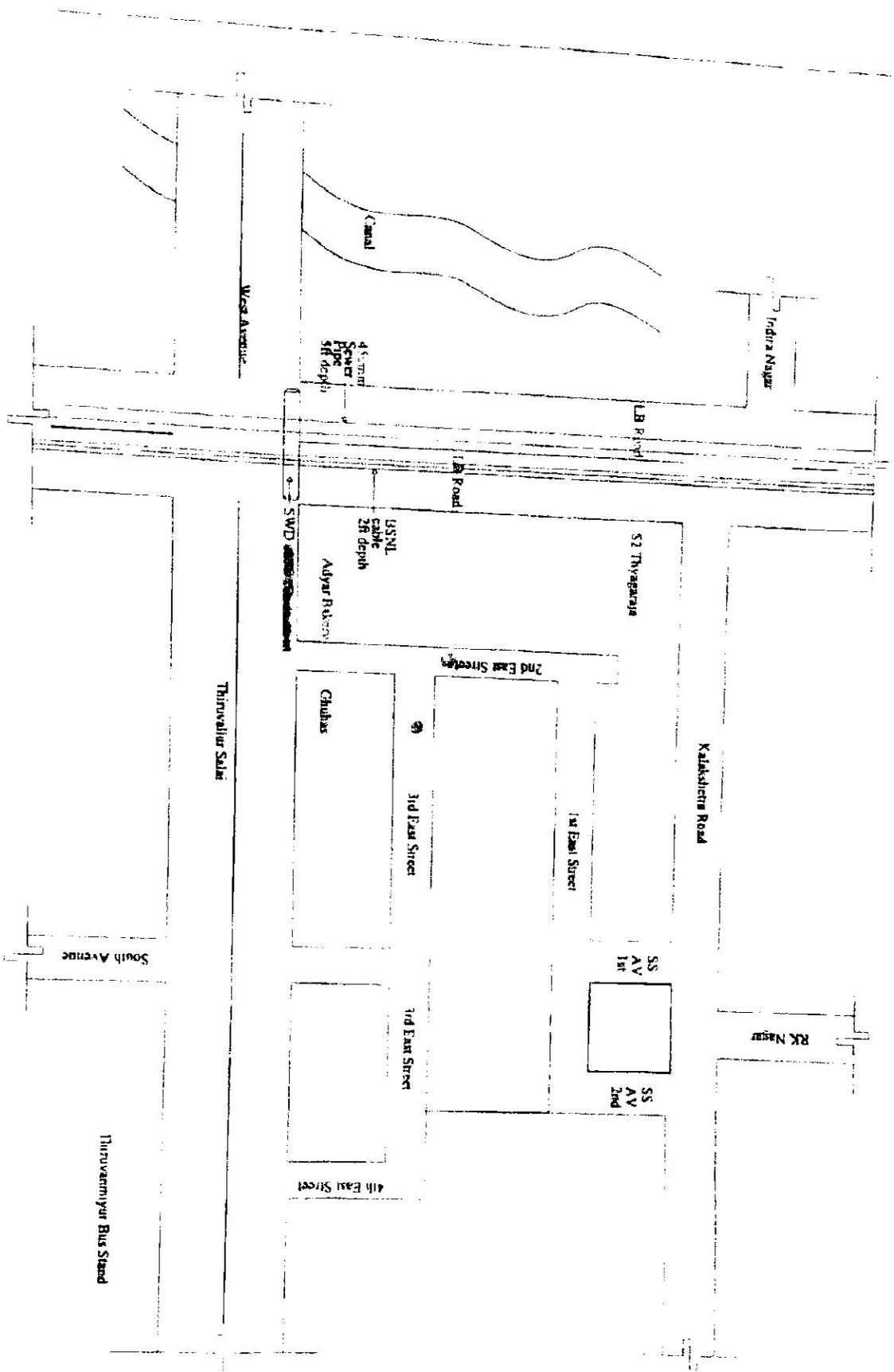
REPORT FILED ON BEHALF OF THE 5<sup>TH</sup>  
RESPONDENT- TAMIL NADU POLLUTION  
CONTROL BOARD.

Advocate for Respondent: TNPCB  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.

Date:26.04.2023.

Date of hearing on:27.04.2023

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

10/7/23, 4:45 PM

Gmail - Addl-Affidavit-OA 84 of 2022 (SZ)



Kaushik Sharma &lt;kaushiknsharma@gmail.com&gt;

---

**Addl-Affidavit-OA 84 of 2022 (SZ)**

1 message

**Kaushik Sharma** <kaushiknsharma@gmail.com>

7 October 2023 at 16:44

To: commissioner@chennaicorporation.gov, cmwssb@tn.gov.in, md@cmwssb.in, dcworks@chennaicorporation.gov.in, cmwssbarea13@gmial.com, ssjtnpcb@gmail.com

Dear sir/madam,

Please find attached the copy of the Additional Affidavit filed by the Applicant in OA 84 2022(SZ). Kindly acknowledge the receipt of the same.

Regards,

T. Kiran Rani

KNS Law Chambers.

**DISCLAIMER:**

This message (including any attachments) is intended for the designated recipient and purpose only and may contain privileged, proprietary, confidential, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the message. E-mails are susceptible to alteration. The Sender shall not be liable for the message if altered, changed or falsified. Nothing in the message or attachment is capable or intended to create any legally binding obligation on either party. This mail and/or its attachments are not to be reported or copied made available to others. The sender owes no liability or responsibility for loss or damage from the use of this message, including damage from virus.

**East Kamaraj Addl. Affidavit.pdf**

9334K