

BEFORE THE NATIONAL GREEN TRIBUNAL, (SZ), SITTING AT CHENNAI

(Under Section 18(1) r/w Sec.14 of National Green Tribunal Act, 2010)

Original Application No.89 of 2021 (SZ)

BETWEEN

K.M.Muthusamy Gounder
S/o. K.P.Muthusamy Gounder,
Karattupalayam, Thogutti Palayam Village,
Tirupur South Taluk.

...APPLICANT.

-AND-

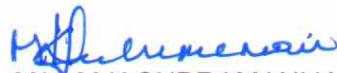
1. The Ministry of Environment Forest and Climate Change
and others.

...RESPONDENTS.

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2	12.10.2020	Annexure – 1: Photograph taken on 12.10.2020	8-9
3	24.12.2020	Annexure – 2: Photograph taken on 24.12.2020	10

Certified that the above documents are true copies of their originals.

Dated at Chennai on this the ^{17th} day of September 2021.


M/s. M.K.SUBRAMANIAN
COUNSEL FOR 6TH RESPONDENT

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...APPLICANT.

-AND-

1. The Ministry of Environment,
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2. The State of Tamil Nadu
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3. The Member Secretary
Tamil Nadu Pollution Control Board
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Phone :- 044 22353134 / 22353139
Email:- tnpcb-chn@gov.in
4. The Commissioner HR & CE



For அனுகூல அலிக்கட்டு வினைகள்
நலச்சங்கம்
தலைவர்

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5. The District Collector

Collectorate,
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Tirupur – 641604.
Phone:- 0421-2971100
Email:- collrtup@nic.in

6. Alagumalai Jallikattu Kaalaigal Nalasangam

Rep.by its President S.Palanisamy
S/o. Subburaya Gounder,
Malaipalayam,
Thonguttipalayam Village,
Tirupur South Taluk
Tirupur District – 641665
Phone:- 98430 62867
Email :- palanisamy@gmail.com

...RESPONDENTS.

OBJECTION FILED BY S.PALANISAMY THE 6TH RESPONDENT

I S.Palanisamy S/o Subramanya Gounder, Hindu aged about 58 years residing at No.223, Pavendar Street Extension, Mangalam Road, Palladam, Tirupur District do hereby solemnly affirm and sincerely state as follows:

1. I am the 6th respondent in the above application and I am well acquainted with facts of this case.
2. I respectfully submit that while admitting the application this Hon'ble Tribunal appointed a joint committee to go in to the question and submit the report by Order dated 25.03.2021. In pursuance of the order passed by this Hon'ble



For அலகுமலை ஜல்லிகட்டு காளைகள்
நலச்சங்கம்
தலைவர்

Tribunal, the District Collector Tirupur District and Tamilnadu Pollution Control Board represented by District Environment Engineer filed a report before this Hon'ble Tribunal. The District Collector, Tirupur in the joint report submitted before this Hon'ble Tribunal has made the following observations:

- 1) During inspection it was noticed that presently the location was found clean and there is no solid waste found in that area.
- 2) In the Western side of the temple land Top soils / Gravels was found removed for a depth of about 1.0m to 1.8m.
- 3) Traces of the bushes and thorns removed from and near Jallikattu event field are noticed.
- 4) It was informed by the local body that around 500 kg dung of Bulls generated during Jallikattu event was collected and the same was disposed as manure for agriculture purpose.
- 5) It was informed by the local body that around 200 kg of arena nut plates and paper cups used during the Jallikattu event were collected and disposed by the shop owners themselves.
- 6) It is further submitted that as per Form – "A" Register maintained by Revenue Department, the land belongs to Muthukumaraswami Malai temple, Hanumantharayan temple, Pillaiyar Temple, Idumban Temple, Mandapam and Foot path, not mentioned as 'Forests'. During the joint inspection no such trees or Natural grown forests in this area expect some thorny species. Hence it is reveal that no such damage caused to the environment.
- 7) The total area of the temple land in Survey No.32, is 70.40 acres classified as temple puramboke, within which in the western side



For அலகுமல ஜலக்கட்டு கானகள்
நலச்சங்கம்
தயலவர்

gravel was found to be removed for a depth of about 1M to 1.8M in the area of 52.6M X 9M X 6.3M and hence the topography has been altered in that area due to the physical changes made when leveling the land for the Jallikattu.

8) Small bushes and various unusable trees were cut down in the temple land (survey No.32) and no medicinal plants or herbs were cut down in the area.

3. I respectfully submit that the entire Jallikattu events had been taken over by the District Administration one day before the Jallikattu festival. All the festival arrangements had been done under the close tracking and guidance of District Administration officials only.

4. I respectfully submit that I deny that the solid waste were disposed by the local body.

5. I humbly submit that no solid waste had been cleaned by the local body. All the cleaning activities had only been done by the volunteers, family members and member of the association and youths.

6. I respectfully further submit that the dung of Bulls generated during Jallikattu event was also collected and the same was disposed as manure for agriculture purpose only by the volunteers, family members and members of the association.

7. I respectfully submit that I deny allegations that we excavated a portion of the hillock in the South Western region.



For அனாமலை ஜலிக்கட்டு காணாநள்
நலச்சங்கம்

தலைவர்

8. I further submit that the digging of land was done by the owner of the land during Cattle market during 2020.
9. I humbly submit that the association had not done any digging of land activity for conducting Jallikattu festival.
10. I respectfully submit that I am enclosing photographs which were taken on the day of Cattle market held on 12.10.2020. It is very clear evident that the above said land had been digged for conducting Cattle market by the owner of the land himself.
11. I respectfully further submit that I am also enclosing photographs which were taken on 24.12.2020 before conducting Jallikattu festival. It is very clear evident that the above said land had already been digged and sand was removed and gravel layers by the owner of the land himself some months before for conducting the cattle market and not by the Association members.
12. I respectfully submit that the Organizing Committee conducted the Jallikattu in the patta land belongs to Subramanyam, Kuppusamy and Nandhini and barricades were also erected in the patta land only and not in any other land.
13. I respectfully submit that I am enclosing photographs which were taken on Jallikattu day. It is very clear evident that the Jallikattu was conducted only in the patta land and we have not encroached any part of land.



For அமைச்சர் அலுவலகம் கல்விக்கட்டு காலவகை
 நலச்சங்கம்
 தலைவர்

14.I respectfully further submit that only traces of the bushes and thorns had been removed for the public convenience as per the request made by the police officials.

15.I respectfully submit that I am enclosing herewith the copy of the "A" Register and layout of the land maintained by Revenue Department with Survey No.32. It is very clear evident that the land belongs to Subramanian Kovil and Pillayar Kovil.

16.I respectfully submit that this application has been filed with ulterior motive, not with clean hand and to settle the personal enmity.

17.I respectfully submit that the Association is a Law abiding one and have great respect for this Hon'ble Tribunal. The 6th respondent, Association is actively engaged in social welfare activities also to protect the lives of bulls and bull tamers insurance was taken for each individual and bull. Heavy premium was paid. Shops were put up by temporarily and removed in the same day. The amount specified by the District Administration is huge and I, the 6th respondent prays that leniency may be shown since the Association was not involved in removal of gravel by digging and also around 200 Kg of areca nut plates and paper cups used during the Jallikattu event were disposed by Volunteers, family members and members of Association and youths.

18.I respectfully submit that the application filed by the applicant with false averment and not approached this Hon'ble Tribunal with clean hands even though the true facts are within his knowledge only to attract that without any

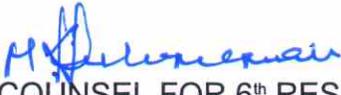
Government permission Jallikattu was conducted there by caused
For அலகுமலை ஜல்லிகட்டு விளையுபவர்கள்
நலச்சங்கம்
தலைவர்



degradation of environment is totally false. The 6th respondent prays that heavy cost may be imposed on the applicant for filling the application with false averment before this Hon'ble Tribunal.

19.I respectfully submit that the reply and objection filed by me, the 6th respondent may be read along with this objection.

It is therefore prayed that the Hon'ble Tribunal may be pleased to dismiss the application No.89 of 2021 as devoid of merits and pass such other orders as deemed fit in the interest of Justice.


 COUNSEL FOR 6th RESPONDENT


 For அமைச்சு அல்லிக்கட்டு கானளகள்
 நலச்சங்கம்
 தலைவர்
 6th RESPONDENT

VERIFICATION

I S.Palanisamy S/o Subramanya Gounder, Hindu aged about 58 years residing at No.223, Pavendar Street Extension, Mangalam Road, Palladam, Tirupur District, do hereby verify that the above mentioned contents are true to my personal knowledge and on legal advice and that I have not suppressed any material fact.

Dated at Tiruppur, this the 15th day of September, 2021

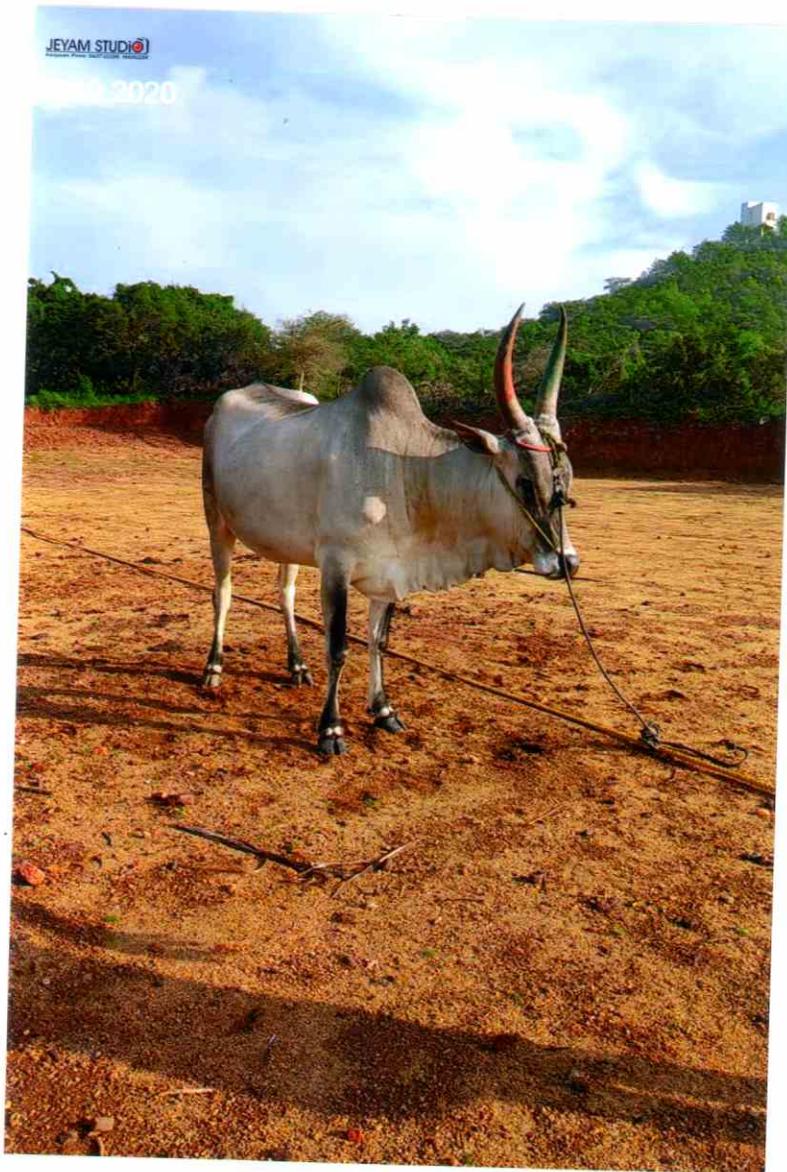

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 For அமைச்சு அல்லிக்கட்டு கானளகள்
 நலச்சங்கம்
 தலைவர்
 6th RESPONDENT

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CHENNAI**

Application No.89 of 2021 (SZ)

**OBJECTION FILED BY THE 6TH
RESPONDENT**

M/s.M.K.SUBRAMANIAN - 1055/89
S.PATRICK -
MADHUVANESHWARAN -

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