

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

Original Application No. 9 of 2021

S.Velu

: Applicant

Vs

The District Collector
Chengalpattu and others

: Respondents

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Certified to be true copy of respective original

Dated at Chennai this the 19th day of Feb.2021



Counsel for Respondent No.8

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I Manikavala, the 8th Respondents herein do hereby appoint and retain

**B.MANOHARAN, B.DHANASEKARAN,
SUMATHI SELVARAJ**

to appear for me/us in the above Suit/ Petition and to conduct and prosecute or defend the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I empower my Advocate to appear in al miscellaneous proceedings in the above suit or matter till all decree or orders are fully satisfied or adjusted and in all Appeals thereto whether in suit, interlocutory application, execution petitions and applications in execution till they are finally disposed of in this court and to obtain the return of documents and draw monies the might be payable to me in the said suit or matter. He is/ they are also authorized to depute other counsel to act on his/their behalf.

Witness

I Certify that the contents of this Vakalat were readout and explained in my presence to the Executant who appeared perfectly understand the same and put his signature in my presence.

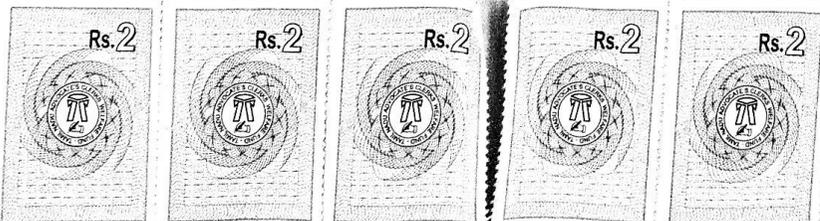
N. L. P.

Dated at Chennai this the 17th day of February 2021

The address for service: The Madras Bar Association also at No.192, New Additional Law Chambers, High Court Buildings, Chennai -104, Mob:9841291464, mail: manosumulaw@gmail.com

Sumathi

Counsel for 8th Respondents



*Sub
Jeeva Kumar
485721
392 NALL HON 104*

(3)

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COUNTER AFFIDAVIT FILED BY THE 8TH RESPONDENT

I, Dr. Manicakavel, son of Shri. M. Narayanasamy, Hindu aged about 42 having office at M/s. M/s. Regal Biomarine Hatchery, Kannathur Village, Cheyyur Taluk, Chengulpattu District, came to Chennai do hereby solemnly affirm and sincerely states as follows:—

1. I submits that I am the 8th Respondent herein as such I am well aware of this case and I deny all the averments made in the application except which are specially admitted here under.
2. I submits that the 7th Respondent neither connected with my business of M/s. Regal Biomarine Hatchery and neither residing nor having office at the address mentioned in the cause title, but, notice of the 7th respondent was served to my employee.
3. I submits that I am a Doctorate in Marine Biotechnology and a small entrepreneur residing at Puducherry and started partnership firm along with my spouse in the name of M/s. Regal Biomarine Hatchery having office at Puduchery and hatchery at survey Nos.93/2C1, 93/8 and 93/9 Kannathur Village, Cheyyur Taluk, Chengulpattu District. We after obtaining necessary approval / permission from the authority concern started construction activity. It is pertinent to mention here that the Costal Aquacultural Authority vide fine No.56-5(63)/2020 Tech dated 19.10.2020 issued letter of permission for construction of new shrimp hatchery and the Special officer/ Block Development officer, Lathur Panchayat Union also grant necessary planning approval for construction vide Na.Ka.No.1912/2020/A3 dated 29.09.2020. The Fact remains so, the applicant herein and his men gave trouble by one way or other only to grab money from us, since we faced all legally, now present application filed with malafide intension and approached this Hon'ble Tribunal with unclean hands. It is pertinent to mention here that about 10000 families are depending on about 350 shrimp hatchery approved by the Authorities concern all over the nation and in the state of Tamil Nadu about 65 shrimp hatchery out of 350 as stated supra. I further state that the Authority

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concern periodically granting permission of shrimp hatchery and also monitoring the same.

4. I submits that as regard to averments made in brief facts made in the application are denied except which are specially admitted here under. I deny the averments made in para 1 and 2; the applicant has to prove the same. As stated supra, admittedly, we started construction activity only after obtaining necessary permission from the authority concern. I further state that we are not intending to do Shrimp farming only to do shrimp hatchery. As stated supra, with the malafide intension, knowing well the construction activity commenced only shrimp hatchery that to after obtaining necessary approval, made false averment as if, we are proposed for shrimp farming. It is pertinent to mention here that this Hon'ble Tribunal accepted the Government submission for permission to shrimp hatchery in Appl. No.148 of 2015 after detail hearing.

5. I submits that I deny the averments made in para 3 as and the same is made only get sympathy from this Hon'ble Tribunal and drag the us. I deny the averments made in para 4. The applicant alone damaged the road and cut the tress to block the path to us, after police intervention only the same were removed. It is quite natural that lorry transport is need for supply of material for construction activity, further the road laying and maintenance, the authority will take all necessary steps and for which we are not concerned. I further submit that we just started construction of Shrimp hatchery now, but already in the same village three hatcheries are functioning nearby to our hatchery. As stated supra, we are new hatchery doing construction activity only, the applicant's attempt to grab money from us were prevented, now made false statement. I am reliably understand that the wife and his relatives of the applicant are working in shrimp hatchery in the same village for which they feel we are their competitor, he may filed this as instructed by them.

6. I submits that I deny the averments made in para 5 and the applicant has to prove the same. I reserved my right to take action against the applicant for defame my reputation. As stated supra, I am a doctorate and a law abiding citizen residing at Puducherry and having no political affiliation with any party. As a quailed person in that field and I approached the authority concern all necessary documents and obtained permission for construction of shrimp hatchery. Since, I refuse to pay the

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applicant and satisfy his demand, now made a false allegation. I deny the averments made in para 6 and 7, as stated supra, we only made construction activity that to after obtaining necessary permission from authority concern for shrimp hatchery and we do have any proposal to do shrimp farming as alleged. I deny the averments made in para 8 & 9.

7. I submits that none of the grounds raised either sustainable neither in law nor on facts. As stated above, we started construction activity only after obtaining necessary permission/ approval from the authorities concern. I once again state we do not have any proposal to do shrimp farming and only to do shrimp hatchery that with the permission from the authority concern.

In view of the above fact it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss this application with cost and thus render justice.

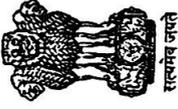
Solemnly affirm at Chennai
this the 17th day of February 2021
and put his sign in my presence



Before me



(M/S: 1399/2
CHEMAN RAJ



FORM - C
(See Rule 10)

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ACKNOWLEDGEMENT OF REGISTRATION OF FIRMS

The Registrar of Firms, Puducherry, hereby acknowledges the receipt of the statement prescribed by Section 58(1) of the Indian Partnership Act, 1932. The statement has been filed and the name of the firm **REGAL BIOMARINE HATCHERY** has been entered in the Register of Firms as No. **240** of **2020**.

Puducherry

Dated, the **11.09.2020**

V. Elango
(V. ELANGO VAN)
REGISTRAR OF FIRMS
Puducherry



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பலவகை வரவு ரசீது

முத்தக எண்.

பற்றல் சீட்டு எண்.

கோணக்குடி

தாள்: 29/09/2020

இரு பிள்ளை பிடியாவதற்காக உறுப்பினர் சம்பளம் என்பவரை பிடுக்கு ரூபாய் 9900/- (ஒன்பது ஆயிரம் ரூபாய்) தொகையை (D.D. முறையில்) D.D. No 312675 விசைக்கல் தொகுதி அலுவலகம், கோணக்குடி.

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- பணப் செலவுகளின் கையொப்பம்
- குறிப்பு: 1 இது பற்றல் சீட்டு எண் உடனடியாக மாற்றப்படும். மாற்றப்படும் பின்னர் (D.D. முறையில்) கையொப்பம் இடப்படும்.
- 2 பணப் செலவுகளின் கையொப்பம் மாற்றப்படும் பின்னர் இது உடனடியாக மாற்றப்படும்.

சுட்டி, கோணக்குடி.

तटीय जलकृषि प्राधिकरण

मत्स्यपालन विभाग

मत्स्य पालन, पशुपालन व डेयरी उद्योग मंत्रालय
भारत सरकार

COASTAL AQUACULTURE AUTHORITY

Department of Fisheries

Ministry of Fisheries, Animal Husbandry and Dairying
Government of India

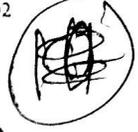


सत्यमेव जयते

5वीं मंजिल, इंटीग्रेटेड ऑफिस कॉम्प्लेक्स
पशु पालन व मत्स्य पालन विभाग
पशु चिकित्सालय रोड, फैनपेट, नन्दनम,
चेन्नई-600035, तमिलनाडु, भारत



5th Floor, Integrated Office Complex For
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Veterinary Hospital Road, Fanepet, Nandanam,
Chennai - 600035, Tamil Nadu, India
फोन/ Phone : +91 44 24353784 / 24353502
ईमेल/ E-mail : aquaauth@gmail.com
वेबसाइट/ website : http://www.caa.gov.in



F. No. 56-5(63)/2020 Tech

Date: 19.10.2020

**LETTER OF PERMISSION FOR CONSTRUCTION OF NEW SHRIMP
HATCHERY**

Permission of this Authority for construction is hereby granted to **M/s. Regal Biomarine Hatchery** in respect of new hatchery project proposed in the survey no(s). **93/2C1** new survey no. **93/8 and 93/9** at **Kanathur Village, Cheyyur Taluk, Chengalpattu District, Tamil Nadu** in an extent of **7,486.68 sq.m** subject to the provisions of CAA Act, its Rules and Guidelines in vogue.

The permission so granted to **M/s. Regal Biomarine Hatchery** is valid for a period of one year from the date of issue of this permission to commence the construction of the hatchery. The applicant is requested to commence the construction and inform the same to this office before the expiry of the validity period. On completion of the construction of the hatchery, separate permission for operation shall be obtained from this Authority.

This issues with the approval of the Competent Authority.




(A. Antony Xavier)
Director (Tech)

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: Respondents

TYPESET

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B.DHANASEKARAN 699/2000
SUMATHI SELVARAJ 121/2014
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