

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 91 of 2023 (SZ)**

**IN THE MATTER OF:**

Tribunal on the own motion SUO MOTU based on the news

Item published in “The New Indian Express”

Chennai E- editipn dated 30.06.2023,

“Road being laid inside marshland in Perumbakkam”

...Applicant(s)

Versus

The Director,

Directorate of Town and Country Planning (DTCP),

Koyambedu, Chennai and others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel

National Green Tribunal

Southern Zone

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published in "The New Indian Express"  
Chennai E-edition dated 30.06.2023,  
"Road being laid inside marshland in Perumbakkam"  
.....Appellant

-Vs-

1. Director,  
Directorate of Town and Country Planning (DTCP).  
2<sup>nd</sup> , 3<sup>rd</sup> and 4<sup>th</sup> Floor, C & E, Market Road,  
Koyambedu, Chennai-600 107, Tamil Nadu.
2. District Collector,  
Chengalpattu,  
Collectorate GST Road,  
Chengalpattu, Tamil Nadu.
3. Additional Chief Secretary,  
Department of Environment & Climate Change,  
No.1, Jeenis Road, Panagal Building,  
Chennai, Tamil Nadu.
4. Member Secretary,  
Tamil Nadu State Wetland Authority,  
Panagal Maligai, Saidapet,  
Chennai, Tamil Nadu.

.....Respondents

COUNTER AFFIDAVIT FILED BY THE FIRST RESPONDENT

I, P. Yogaraja, S/o. Palaniyandi, Hindu, aged about 58-years,  
now serving as Deputy Director, Directorate of Town and Country  
Planning (DTCP). 2<sup>nd</sup> , 3<sup>rd</sup> and 4<sup>th</sup> Floor, C & E, Market Road,  
Koyambedu, Chennai-600 107, Tamil Nadu, do hereby solemnly affirm  
and sincerely state as follows:

  
ASSISTANT ACCOUNTS OFFICER

DIRECTORATE OF TOWN & COUNTRY PLANNING

KOYAMBEDU, CHENNAI-600107

D.O. Code : TE401

  
Deputy Director

Directorate of Town and Country Planning  
Government of Tamil Nadu.

1. I am authorised by the 1<sup>st</sup> Respondent to file this counter on his behalf. It is submitted that the above Original Petition arise the Hon'ble Tribunal on the own motion SUO MOTU based on the news item published in "The New Indian Express" Chennai E-edition dated 30.06.2023, "Road being laid inside marshland in Perumbakkam"

2. It is submitted that the allegation is that one of the private realtors is constructing the road across the Perumbakkam Marshland and tonnes of construction materials and sand were dumped inside the water body by employing heavy machinery. The news item further states that Mr. Deepak Srivastava - Member Secretary, Tamil Nadu State Wetland Authority is aware of it.

3. It is respectfully submitted that the respondent is Director of Town and Country Planning Department under the Department of Housing and Urban Development Department, State of Tamil Nadu. The 1<sup>st</sup> respondent office function is giving approval for the residential and commercial and Industrial layout purpose etc., within the State of Tamil Nadu and laying roads anywhere in State of Tamil Nadu is not comes under this 1<sup>st</sup> respondent Department. Chennai Metropolitan Development Authority is the competent authority for approving layout for residential, commercial and industrial purpose for Chennai Metropolitan Area.

  
ASSISTANT ACCOUNTS OFFICER  
DIRECTORATE OF TOWN & COUNTRY PLANNING  
KOYAMBEDU, CHENNAI-600107  
D.O. Code : TE401

  
Deputy Director  
Directorate of Town and Country Planning  
Government of Tamil Nadu.

**It is pertinent to submit that the Perumbakkam Marshland is comes under the purview of the Chennai Metropolitan Development Area, and hence if any development made in the said Perumbakkam Marshland, the only authority to issue permission for the same is Chennai Metropolitan Development Authority.**

In the above said circumstances, it's humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Petition as against the 1<sup>st</sup> Respondent and thus render justice.

Solemnly affirmed at Chennai :  
 on this the 31st of July, 2023 :  
 and signed his name in my presence:

  
**Deputy Director**  
 Directorate of Town and Country Planning  
 Government of Tamil Nadu.

BEFORE ME

  
 ASSISTANT ACCOUNTS OFFICER  
 DIRECTORATE OF TOWN & COUNTRY PLANNING  
 KOYAMBEDU, CHENNAI-600107  
 D.O. Code : TE401