

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 95 of 2023 (SZ)

IN THE MATTER OF:

P. Kannappan,

Kancheepuram and Anr

...Applicant(s)

-Vs-

The Tamil Nadu Coastal Zone Management Authority,

Chennai and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal

Southern Zone

Date: 13.03.2024

BEFORE THE NATIONAL GREEN TRIBUNAL**SOUTHERN ZONE, CHENNAI****Original Application No. 95 of 2023 (SZ)****In the matter of:**

1. P. Kannapan,
510, The eponjan,
Tsunami Quarters,
Thayhuthahi' Kuppam, Cheyyur,
Kancheppuram
2. D. Moorthy
S/o. Duraikomnan,
Tsunami Quarters,
Thaghuthalikuppam,
Cheyyur,
Kancheppuram

...Applicant(s)

Versus

1. The Tamil Nadu Coastal Zone Management Authority,
Rep. by its Member Secretary,
No.1, Jeen's Road,
Panegal Building,
Grand Floor,
Saidapet,
Chennai – 600 015
2. The District Collector
Chengalpet District,
GST Road,
Chengalpattu – 603 001
3. The Director,
Directorate of Town and Country Planning,
Chennai
4. The Local Planning Authority,
New District Collectorate Complex,
Vedhanarayanapuram, Venbakkam Post,
Chengalpattu – 603 111

...Respondent(s)

Report filed by the 4th Respondent – The Local Planning**Authority, Chengalpattu**

Chengalpattu District, Cheyyur taluk, Paramankeni Village, Survey no. 482 to 488 and 496 to 499 and Mudhaliyar kuppam, survey no.241, petition against an illegal construction made in the above mentioned survey no.s, In the reference (1) cited Hon'ble National Green Tribunal (South Zone) ordered that:

“In this regard, it would be appropriate to implead the Director-Directorate of Town and Country Planning, Chennai and the Local Planning Authority – Chengalpattu District as additional respondent's no.3 and 4 respectively in this processing”

As per Hon'ble NGT order, site was inspected on 12.03.2024, it is found that Unauthorized Construction found at the Paramankeni Village, Survey no. 482 to 488 and 496 to 499 and Mudhaliyar kuppam, survey no.241, site photos are attached herewith.

As per G.O (Ms) No.195, Housing and Urban Development [UD4(1)], Department, dated.05.11.2022, Form-I for notice for production of documents, state that the property's owner requested to produce the relevant documents within 7 days from the date of receipt of this notice failing which necessary action will be initiated under section 56 or 57 of Tamil Nadu Town and Country Planning Act 1971.

It is further relevant to state that the said land falls under No Development Zone as per Coastal Regularization Zone- III Notification, dated 06.01.2011, and there are following restriction for constructing a building:

A. Area up to 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as “No Development Zone (NDZ);

(i) The NDZ shall not be applicable in such area falling within any Notified port limits;

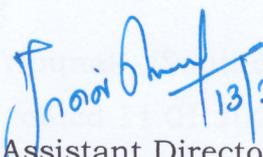
(ii) No construction shall be permitted within NDZ except for repairs

or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisher folk may be permitted between 100 and 200 meters from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal 11 communities including fisher folk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

The Petitioners have no right to construct a building in Coastal Regularization Zone without a proper planning approval, hence I request you sir to approve the facts before the Hon'ble National Green Tribunal (Southern Zone).

Enclosure:

1. Notice I
2. Site Photos


13/3/24
Assistant Director,
District Town and Country Planning
Chengalpattu District



Assistant Director ,
District Town and Country Planning Office,
Chengalpattu District.

FORM -I

NOTICE FOR PRODUCTION OF DOCUMENTS

ROC NO.1653/2024/CD-3

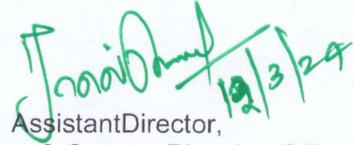
NOTICENO.I

DATE:12.03.2024

On the basis of information which has come to notice that the development / premises at S.No. 488pt of Paramankeni Village, Cheyyur Taluk, Chengalpattu District is being developed, without obtaining due planning permission or in deviation of the permission granted.

You are hereby requested to produce the following documents within Seven days from the date of receipt of this notice, failing which necessary action will be initiated under section 56 or 57 of the TamilNadu Town and Country Planning Act,1971 (TamilNadu Act 35 of 1972), based on the records/documents available at our end.

1. Building Approval Details
2. Ownership details


Assistant Director,

District Town & Country Planning Office,
Chengalpattu District.

To:

SF.No.488pt
Paramankeni Village,
Cheyyur Taluk
Chengalpattu District

Copy To:

The Block Development Officer,
Lathur Panchayat Union,
Cheyyur Taluk,
Chengalpattu Village



Assistant Director ,
District Town and Country Planning Office,
Chengalpattu District.

FORM -I

NOTICE FOR PRODUCTION OF DOCUMENTS

ROC NO.1653/2024/CD-3

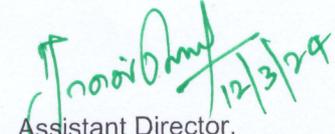
NOTICENO.I

DATE:12.03.2024

On the basis of information which has come to notice that the development / premises at S.No. 495pt & 496/6pt of Paramankeni Village, Cheyyur Taluk, Chengalpattu District is being developed, without obtaining due planning permission or in deviation of the permission granted.

You are hereby requested to produce the following documents within Seven days from the date of receipt of this notice, failing which necessary action will be initiated under section 56 or 57 of the TamilNadu Town and Country Planning Act,1971 (TamilNadu Act 35 of 1972), based on the records/documents available at our end.

1. Building Approval Details
2. Ownership details


Assistant Director,
District Town & Country Planning Office,
Chengalpattu District.

To:

Thiru. M.S. Ram Mohan Rao
No.1/2, Krishnabai Street,
T.Nagar
Chennai- 600 017

Copy To:

The Block Development Officer,
Lathur Panchayat Union,
Cheyyur Taluk,
Chengalpattu Village



Assistant Director ,
District Town and Country Planning Office,
Chengalpattu District.

FORM -I

NOTICE FOR PRODUCTION OF DOCUMENTS

ROC NO.1653/2024/CD-3

NOTICENO.I

DATE:12.03.2024

On the basis of information which has come to notice that the development / premises at S.No. 498pt of Paramankeni Village, Cheyyur Taluk, Chengalpattu District is being developed, without obtaining due planning permission or in deviation of the permission granted.

You are hereby requested to produce the following documents within Seven days from the date of receipt of this notice, failing which necessary action will be initiated under section 56 or 57of the TamilNadu Town and Country Planning Act,1971 (TamilNadu Act 35 of 1972), based on the records/documents available at our end.

1. Building Approval Details
2. Ownership details


12/3/24

AssistantDirector,
District Town & Country Planning Office,
ChengalpattuDistrict.

To:

SF.No.498pt
Paramankeni Village,
Cheyyur Taluk
Chengalpattu District

Copy to:

The Block Development Officer,
Lathur Panchayat Union,
Cheyyur Taluk,
Chengalpattu Village

Photographs







