

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

O.A. No. 81 of 2021

Tribunal on its own motion-SUO MOTU
Based on the News item in Dinamalar Newspaper,
Chennai Edition dated: 15thFebruary 2021,
"The Kothandaramar Temple Pond In T. Nagar,
Chennai which is left without maintenance,
is Turning out to be dumping yard".

-Vs-

The Principal Secretary to Government of Tamil Nadu,
Health and Family welfare Department,
Government Secretariat, Fort St. George
Chennai, Tamil Nadu – 600 009 & 5 others.

... Respondents

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**Filed by
Thiru.C. Kasirajan,
Advocate, Chennai.**

**BEFORE THE NATIONAL GREEN TRIBUNAL,
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Original Application No. 81 of 2021

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-Vs-

1. The Principal Secretary to Government of Tamil Nadu,
Health and Family welfare Department,
Government Secretariat, Fort St. George
Chennai, Tamil Nadu – 600 009.
2. The Secretary to Government of Tamil Nadu,
Department of Environment & Forests,
Government Secretariat, Fort St. George,
Chennai, Tamil Nadu – 600 009.
3. The Chairman,
Tamil Nadu Pollution Control Board,
No. 76, Anna Salai, Guindy,
Chennai, Tamil Nadu 600 009.
4. Hindu Religious Charitable Endowments Department,
Rep. by its Commissioner,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai – 600 034
5. The District Collector,
Chennai District,
District Collectorate Office,
No. 62, Rajaji Salai, 4thFloor,
Chennai 600- 001.
6. Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai – 600 003.

...Respondents

AFFIDAVIT FILED ON BEHALF OF 3RD RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.

I, G. Gopalakrishanan, son of V. Gandhi, Hindu, aged about 58 years,
having my office at No.76, Mount Salai, Guindy, Chennai-32, do hereby
solemnly affirm and sincerely stats as follows:

G. Gopalakrishanan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, and I am filing this Report on behalf of the 3rd Respondents, Tamil Nadu Pollution Control Board and as such I am well acquainted with the facts of the as per the records.

2. It is respectfully submitted that the Hon'ble NGT in its order dated 04.03.2021 in O.A. No. 81 of 2021 has issued the following directions among the other things, inter alia as follows:

"In order to ascertain the genuineness of the allegations and the gravity of the issue and the remedial measures to be taken for resolving the issue, we feel it appropriate to appoint a Joint Committee comprising of (1) a Senior Officer/Scientist from Tamil Nadu Pollution Control Board (TNPCB) as deputed by its Chairman, (2) a Senior Officer from the Hindu Charitable Endowments Department (HRCED) as deputed by its Commissioner and (3) a Senior Officer from Greater Chennai Corporation to be deputed by its Commissioner to inspect the tank in question and submit a factual as well as action taken report, if there is any violation found.

The Tamil Nadu Pollution Control Board (TNPCB) will be the nodal agency for co-ordination and also for providing necessary logistics for this purpose"

Based on the above order, a letter was addressed to the Commissioner of Greater Chennai Corporation & Hindu Religious Charitable Endowments Department vide Board Proceedings dated 25.03.2021 to nominate the Senior Officers to inspect the Pond in question and submit factual as well as action taken as a Report on or before 16.04.2021.

3. It is respectfully submitted that, this be so, it is worthy to mention that 'Kothandaramar Temple', located in T. Nagar (West Mambalam), Chennai is entirely maintained by the 4th Respondent of Hindu Religious

Charitable Endowments Department and it is their responsibility to maintain and protect the water body (Temple Pond) against encroachment and dumping of the Solid Waste. Considering that it is the statutory authority entrusted with all matters pertaining to the upkeep, maintenance and governance of the temples coming under its purview, it would augur well fit that the 4th Respondent is appointed as the Nodal Agency of the Joint Committee to achieve desired results.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) at Chennai may be pleased to take this Report on Record and appoint the 4th Respondent of Hindu Religious Charitable Endowments Department as the Nodal Agency instead of the 3rd Respondent Board and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

G. Gopalakrishnan
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.
BEFORE ME

VERIFICATION

I, G. Gopalakrishnan, son of V. Gandhi, Working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-32, do hereby submit that the contents of the above report are true to the best of my knowledge through records.

Verified at Chennai on this 15th day of April, 2021.

G. Gopalakrishnan
 JOINT CHIEF ENVIRONMENTAL ENGINEER
 TAMIL NADU POLLUTION CONTROL BOARD
 No.76, MOUNT SALAI, GUINDY,
 CHENNAI-600 032.

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... Respondents

**AFFIDAVIT FILED BY THE TAMIL
NADU POLLUTION CONTROL
BOARD.**

**Advocate for Respondent No.1 &3:
Thiru. C. Kasirajan.**

Date:15.04.2021.

Date of hearing:16.04.2021