

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

O.A.No. 107 of 2024

1. Mr.V.Ravi,
S/o.Velu Pillai

2. Mr.V.Mani
S/o.Velu Pillai
Both residing at
Pillaiyar Kovil Street,
Keelnagar Mathura, Kurumanthangal Village,
Aarani Taluk,
Tiruvannamalai District – 642201.

...Applicants

Vs

1. The Director,
State Level Environment Impact Assessment Authority,
Panagal Maligai, Saidapet, Chennai.
Tel : 044 -24336421, 24336928
Email : tamilnadudoc@gmail.com

2. The District Collector,
Office of the District Collector,
Tiruvannamalai District
Phone : 91-4175-233360
Email : collrtvm@nic.in

3. The Director,
Tamil Nadu Pollution Control Board,
Mount Salai, Guindy, Chennai – 600032
Tel : 044-22353134-139
Email Id : grievance@tnpcb.gov.in

4. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
District Collectorate Master Plan Complex,
Vengikkal, Tiruvannamalai District – 606604.
Email : tnpb.tvm@gmail.com
Mobile No : 8056042334

5. M/s. Sangeetha Blue Metals,
Rep. by its Mr.Ravi S/o. Duraisamy,
Proprietor,
S.F.No.284-1A, Kilnagar Village,
Arani Taluk, Tiruvannamalai District.

6. M/s. K.Lakshmanan Central Hotmix Plant
Rep. by its Proprietor Mr.K.Lakshmanan
S.F.No.276/1B, Kilnagar Village,
Arni Taluk, Tiruvannamalai District

...Respondents

**REJOINDER FILED ON BEHALF OF THE APPLICANTS TO THE
REPLY STATEMENT OF THE RESPONDENTS**

1. It is respectfully submitted that the applicants deny the averments made in the reply affidavit filed by the respondents and it is put to the strict proof of the same.

2. It is respectfully submitted that in paragraph 5 of the reply statement the respondents has stated that during the inspection of the 5th respondent unit on 20.12.2023, it was observed that the unit has installed the following air pollution control measures

- (i) Metal Sheet enclosures to the jaw crusher & vibranting screen,
- (ii) Metal sheet enclosures (hemispherical hood) to all the conveyors
- (iii) Water sprinkler arrangement at the dust emanating points such as crushing & screening points and product unloading points,
- (iv) Metal sheet compound wall along the façade and
- (v) Adequate green belt development along the boundary of the unit on all four sides with perennial trees.

3. It is respectfully submitted that the inspection report dated 20.12.2023 is not annexed by the respondents as stated in the reply affidavit. Even though in the reply affidavit filed by the respondents it is stated in serial (iv) that Metal sheet compound wall was installed, but in the inspection report dated 20.12.2023

it is clearly stated that the unit has not provided compound wall/ wind net arrester all around the unit premises.

4. It is also submitted that inspite of the inspection conducted on 20.12.2023 by the 4th respondents and observed that all the air pollution control measures has been followed , a letter dated 14.03.2024 issued by the 4th respondent states that during inspection of the applicants agricultural land on 13.03.2024 white ashes was found on the leaves of the trees in the applicants agricultural land and in this regard instructed the 5th respondent unit to operate all air pollution control devices and water sprinklers.

5. It is respectfully submitted that it is crystal clear that even though in the inspection of the unit all the air pollution control measures were fixed the unit causes air pollution and emitting heavy smoke and dust particles which is settled on the applicants agricultural land which can be observed in the subsequent letter after the inspection issued by the 4th respondent. Even though as alleged by the respondents all the air pollution control machineries are fixed by the 5th respondent unit but the 5th respondent unit has failed to operate it and causing severe air pollution to applicants agricultural land.

6. It is respectfully submitted that during every inspection the 5th respondent is not functioning the unit in a full-fledged manner and showing the officials that the unit is operating without causing any air pollution. But after the inspection the respondents regularly functioning the unit by causing severe air pollution and emitting enormous amount of smoke. Even as of now the 5th respondent unit is functioning by emitting smoke which is causing severe air pollution and damaging the plants, trees and crops of the applicants agricultural land.

7. It is respectfully submitted that in respect of the 6th respondent unit even though the electricity connection is disconnected as of now , it can be reconnected and the unit can come in to operation at any point of time. It is questionable fact that

the unit can be left ideal without dismantling all the machineries with the consent to function the unit. If so, in later point of time if the unit comes into operation whether it functions without causing air pollution is questionable one. Therefore only if an Air quality monitoring station is installed by respondents in the locality and conduct frequent Air quality test the air pollution causing by the respondents unit can be prevented.

In these circumstances , it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass order as prayed by the applicants or other orders as this Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

Dated at Chennai on this the 13th day of October 2024.

A handwritten signature in black ink, appearing to read 'R. N. Srinivasan', with a horizontal line underneath the name.

Counsel for Applicants

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TRIBUNAL, SOUTHERN ZONE AT
CHENNAI**

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...Applicant

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Authority,
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Tel: 044- 24336421, 24336928
Email: tamilnadudoe@gmail.com
and 5 others.

...Respondents

REJOINDER

M/s. A.Rajaperumal [E.No.481/2007]

R.Naveen [E.No.2475/2018]

S.Kousik [E.No.2474/2018]

M.Padmarajagopalan [E.No.979/2022]

COUNSEL FOR APPLICANTS

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