

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No.13 of 2024 (SZ)**

**In the matter of:**

S.Sivadas

S/o Sivakumar Kulasekar,

No.2, periyapalayathamman Kilo West Street,

Basin Bridge, Washermenpet, Chennai-600021

... Applicant(s)

Versus

The Ministry of Environment,

Forest and Climate Change, Chennai and others

...Respondent(s)

**REPORT FILED BY 4<sup>TH</sup> RESPONDENT**

**THE DISTRICT COLLECTOR, VILLUPURAM.**

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Through

Dr. D. Shanmuganathan

Standing Counsel for Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE: 10.01.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE, CHENNAI  
Original Application No. 13 of 2024 (SZ)**

In the matter of :

S. Sivadas

S/o. Sivakumar Kulasekar

No. 2, Periyapalayathamman Kilo West Street,

Basin Bridge, Washermenpet, Chennai – 600 021.

...Applicant

Vs.

1. The Ministry of Environment

Forest and Climate Change

Rep. by its Secretary,

Indira Paryavaran Bhavan,

Jorbagh Road, New Delhi – 110 003.

2. State Environment Impact Assessment

Authority, Tamil Nadu

Rep. by its Chairman

3<sup>rd</sup> Floor, Panagal Maaligai, No. 1,

Jeenis Road, Saidapet, Chennai – 600 015.

3. The Member Secretary,

Tamilnadu Coastal Zone Management Authority,

Panagal Building, Saidapet, Chennai – 600 002.

4. The District Collector,

Collector Office Road, Moovendar Nagar,

Villupuram, Tamil Nadu – 605 602.

5. The Deputy Director  
Directorate of Town and Country Planning,  
Villupuram Region,  
GH Road, TADCO Building,  
Villupuram – 605 602.
6. The Executive Officer,  
Marakkanam Town Panchayat,  
Marakkanam Taluk,  
Office of Town Panchayat, 39, Pandy Road,  
Marakkanam Post and Taluk, Villupuram District.
7. The Chairman  
Tamilnadu Pollution Control Board,  
76, Mount Salai, Guindy, Chennai – 600 032.
8. District Environmental Engineer,  
Tamilnadu Pollution Control Board,  
District Collector Master Plan Complex,  
Back Side of Taluk Office, Villupura, - 605 602.
9. Principal Chief Conservator of Forests and Chief  
Wildlife Warden, Forest Department,  
Government of Tamilnadu, Saidapet,  
Chennai – 600 015.
10. The Sub Registrar  
Marakkanam, Marakkanam Sub Registrar Officer,  
Marakkanam Taluk, Villupuram District.
11. Manju Foundations Pvt. Ltd.

Rep. by its Managing Director,  
No. 8, Sapthaswara Apartments,  
2<sup>nd</sup> Floor, 1<sup>st</sup> Avenue, Ashok Nagar, Chennai – 600 083.

12. Pedro Developers (P) Ltd.,  
Rep. by its Managing Director,  
Flat No. 621-A, 6<sup>th</sup> Floor, Devika Towers,  
Nehru Place, New Delhi – 19.

13. Metis Developers Pvt. Ltd.,  
Rep. by its Managing Director,  
Flat No. 621-A, 6<sup>th</sup> Floor, Devika Towers,  
Nehru Place, New Delhi – 19.

14. Kaleema Developer Pvt. Ltd.,  
Rep. by its Managing Director  
C/o. Vatika Group,  
Flat No. 621-A, 6<sup>th</sup> Floor, Devika Towers,  
Nehru Place, New Delhi – 19.

15. P. Nagarajan,  
S/o. Late Mr. Ponnurangan

16. K.P. Loganathan  
S/o. Late Mr. Ponnurangan  
Respondents 15 & 16 are residing at  
No. 2/387, Singaravelan Street,  
Opposite Community Hall,  
Chinna Neelangarai, Chennai – 600 115.

...Respondents

**INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY CHAIRMAN OF DCZMA/ DISTRICT COLLECTOR,VILLUPURAM AS PER THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI ORDER DATED 06.09.2024 IN O.A. NO. 13 OF 2024(SZ).**

**Sub: DCZMA - Viluppuram OA No.13 of 2024 filed by Thiru.S.Sivadas before the Hon'ble NGT (SZ) Chennai allegation of developments in CRZ area in Marakkanam (North) Village, Marakkanam Taluk, Villupuram District - Joint Committee inspection Report – Submitted - regarding.**

**Ref: District Collector, Villupuram Proceeding dated 03.10.2024**

In pursuance of the reference letter above, a joint inspection was carried out the unit of M/s.Manju Foundation Private Limited (Manju groups) located at Marakkanam North village, Marakkanam Taluk, Villupuram District by Sub Collector, Tindivanam , Assistant Executive Engineer, Department of Environment and Climate Change Chennai, Assistant Director, Directorate of Town and Country Planning, Viluppuram and Assistant Environmental Engineer, Tamil nadu Pollution Control Board, Villupuram on 08.10.2024 and report is submitted are as follows.

**Case details:**

Thiru.S.Sivadas (Applicant) has filed a case before the Hon'ble National Green Tribunal (Southern Zone), Chennai in Application No.13 of 2024 as the District Collector, Villupuram 4<sup>th</sup> respondent, Chairman, Tamil Nadu Pollution Control Board, Chennai 7<sup>th</sup> respondent and the District Environmental Engineer, Tamil Nadu Pollution Control Board, Villupuram as 8<sup>th</sup> respondent against the illegal activity of the 11<sup>th</sup> respondent (Managing Director of Manju Foundations Pvt Ltd.)in promoting a gated community project, in parts and portions of lands in S.F.No.174, 181, 188, 189, 190, 191, 192, 193, 194, 195, 196, 210, 211, 212 & 213 of Marakkanam North Village, Marakkanam Taluk, Villupuram District admeasuring an extent of about 180 Acres, without the mandatory Environmental clearance under the (EIA ) Notification, 2006 and in violation of Coastal regulation Zone(CRZ) Notification, 2011 by promoting in the

name and style of Bhinaya Beach, Bhavishya Beach, Barsha Beach, Bhavita Beach & Blue Spot - Marakkanam and Blue spot - Bunglow plots.

### **ORDERS OF THE HON'BLE TRIBUNAL**

The Hon'ble National Green Tribunal, Southern Zone, Chennai has issued the following direction in the Original Application No.13 of 2024(SZ) on 06.09.2024 with respect to developments in Coastal Regulation Zone:

*" 9. Similarly, we direct the DTCP, Tamil Nadu SCZMA along with the TNPCB to make a joint inspection once again along with the revenue officer not less than the rank of Revenue Divisional Officer to inspect the property and report whether the layout developed by the 11th Respondent are in violation of the CRZ Notification. Let the report also specifically state whether the 11th Respondent is doing any activities/developments outside the scope of the approval while annexing the lands within 500 Meters HTL*

*10. It has also come to our knowledge that similar layouts/developments are being made on the coast of Villuppuram district. If that is so, let the authorities also take appropriate action in that regard and report to us.*

*11. The District Collector will be the nodal officer for coordination and to file a report."*

### **COMPOSITION OF THE COMMITTEE**

In accordance to Hon'ble Tribunal direction, the District Collector, Villuppuram in its proceeding dated 03.10.2024 stated that constitute a joint committee the following members have been nominated as members of the committee.

1. Sub Collector, Tindivanam,
2. Assistant Director, DTCP, Villuppuram,
3. Representative from Tamil Nadu SCZMA, Chennai
4. Assistant Environmental Engineer, TNPCB, Villuppuram and direct the Joint Committee to conduct the joint inspection of the property owned and layout developed by the M/s. Manju Foundation Private Limited and furnish the Joint committee inspection report with Hon'ble National Green Tribunal (SZ), Chennai.

Further, the District Collector, Villupuram has directed to District Environmental Engineer of Tamilnadu pollution Control Board, Villupuram to obtain the Joint inspection report from the committee to file the report with Hon'ble National Green Tribunal (SZ) Chennai .

### **SCOPE OF THE COMMITTEE AS PER ORDER**

*“ To inspect the property and report whether the layout developed by the 11th Respondent (Managing Director of M/s.Manju Foundations Pvt Ltd.,) are in violation of the CRZ Notification. Let the report also specifically state whether the 11th Respondent is doing any activities/developments outside the scope of the approval while annexing the lands within 500 Meters HTL*

*It has also come to our knowledge that similar layouts/developments are being made on the coast of Villupuram district. If that is so, let the authorities also take appropriate action in that regard and report to us.”*

### **JOINT INSPECTION OF THE COMMITTEE**

The Joint Committee has inspected the above said site on 08.10.2024. During the time inspection, the committee observed the following.

1. The said location comes under the local body jurisdiction of Marakkanam Town panchayat, Marakkanam Po, Marakkanam Taluk, Villupuram District.
2. It is respectively submitted that Residential plot developing company namely M/s.Manju Foundation Pvt Ltd having its address at No.8, Saphaswara apartments, Second floor, First Avenue, Ashok Nagar, Chennai- 600 083 was found to be at work in developing a residential layout in East Coast Road, Marakkanam North village, Marakkanam Taluk, Villupuram District.
3. a) The developer has furnished the copy of the DTCP approval obtained from the Director of Town and Country Planning, Chennai dated 18.2.2021 for developing a residential layout plots for an extent of 12.29 Acres in their own patta lands bearing SF Nos.180/9, 181/4B3, 181/5B3, 188/1A, 188/1B, 188/2 & 188/3, Marakkanam North village, Marakkanam Taluk, Villupuram District vide Na.Ka.No.20887/2020/TCP-8 dated 18.2.2021(Copy enclosed vide Annexure – I).
- b) The developer has furnished the copy of the subsequent DTCP approval obtained from the Assistant Director of Town and Country Planning, Villupuram

dated 17.3.2021 forwarding the DTCP approved copy with conditions to the concerned local body of Marakkanam Town Panchayat, Marakkanam for taking further necessary action at their end. The copy of the above letter of the Assistant Director of Town and Country Planning, Villupuram dated 17.3.2021 is submitted herewith vide **Annexure-II. The project named " Blue Spot -I"**

4. Further, the developer has furnished the copy of the DTCP approval obtained from the Director of Town and Country Planning, Chennai dated 11.12.2023 for developing the residential layout plots in an extent of 17.70 Acres (71656.00 Sq.m) of their own patta lands bearing SF Nos.189/1A1B, 189/1B, 189/2A, 189/2B, 190/1B1, 190/1B3, 190/2, 190/3, 190/28, 191/1A1, 191/1A4, 191/1B, 191/1C, 191/2A3, 191/2B2, 191/2C2 & 193/1A2, Marakkanam North village, Marakkanam Taluk, Villupuram District (in which some of the survey numbers have been included in the Affidavit filed by the applicant) vide Na.Ka.No. K3/16345/2023/TCP- dated 11.12.2023. **The project named " Blue Spot -II"**
5. **The layouts mentioned above in serial no 3 & 4 for an extent of 12.29 acre and 17.70 acre are approved by DTCP are falling beyond 500 mts from the High Tide line . Residential Developmental activities such as construction of houses ,office building , Electricity connection to Houses , are carried out in the above DTCP approved layouts**
6. The unit developer have informed that during the year 2015 they had purchased lands measuring for an extent of 34 Acres 49 Cents comprised in S.Nos. 189/1A, 189/3A, 189/4A, 189/4b1, 190/1A Part, 194/1 Part, 195/1 Part, 195/2, 195/4D, 211/2C, 211/3, 211/4, 211/5, 211/6, 212/1 Part, 212/2 Part, 195/1, 196/5A2B, 210/4, 210/5 Part, 194/1, 195/3, 211/1B & 211/6 in the year 2015 from their Vendors M/s. Kaleena Developers Pvt. Ltd. and M/s. Pedro Developers Pvt. Ltd. and M/s. Metis Developers Pvt. Ltd, through Sale Deeds dated 16.10.2015 and 04.11.2015 registered as Document Nos. 3603/2015, 3972/2015, on the file of SRO, Marakkanam.
7. In the same year 2015 in the style of Bhinaaya Beach, Bhavishya Beach, Barsha Beach and Bhavita Beach they are selling unapproved plots to third parties as farm plots during the year 2015 and 2016 in the survey no mentioned in para no 6 . All these survey lands are falling below 500 m from the High tide line. During inspection the developer representative informed that vendor M/s Spam Motels had got clearance from the Ministry of Environment and forest for construction of

beach resorts in letter dated 8.6.2009 and based on that they sold farm plots to their clients during the year 2015 & 2016. They also informed that as per the Government Notification of new rules on regularisation of unapproved plots they stopped selling unapproved plots since from the year 2016 in the above survey lands.

During Inspection it was noticed that the parties who have purchased unapproved plots in the above survey numbers had not constructed any houses or carrying out any residential development related activities and the lands are left vacant.

The following are noticed during Inspection.

1. EB polls with lights are seen on both sides of 60 feet primary road of the approved layout which is 950 m from the HTL line was also continuously erected in below 500 m zone upto 80 meters from sea shore.
2. However EB polls and connection in the view of residential house or residential street Developmental purpose are not given in below 500 m zone.
3. White stones for marking boundary of their patta land are seen in the entire approved /unapproved layout which falls beyond and below 500 m distance from the seashore.
4. Stone path, covering an area of 4 cents (approximately) was found in poramboke lands at a distance of 50 meter from the seashore which is adjacent to developer land. In this regard, the developer has informed that before they purchase land stone path existed,
5. Decade Old Abandoned bathrooms, toilets and a water tank surrounded by bushes are found in R.S No 210/4A in disused condition for a prolonged period which is falling under 500 meter distance from the High Tide line.
6. There is no sand dunes found below 500 m from the HTL
7. A small 2x2x2.4m Concrete shed (watchman & EB) roofed with asbestos sheet was seen in R.S NO 212/3.
8. Green plants are grown with the support of dripping water pipes for watering green trees in survey no 189/3A,189/3B, and 213/1(Part),213/2,213/3 falling under 500 m

distance from HTL. An extent of 1.30 acres in 213/1(Part), 213/2, 213/3 as farm lands had been sold to other persons and are left vacant lands.

9. A Tar road linked with East coast Road (NH332 A) which is 940 m away from HTL approaching into the developer land also continues and seen in below 500 m zone with some branches was used by developer and public. All others are mud roads & pathway .
10. The survey land in R.S 192 is a Government land classified as Mandaveli poramboke measuring an extent of 1.12.0 hectares completely lying beyond 700 m from HTL. No building structures existing in this land.
11. Finally, Residential Developmental activities such as construction of houses , Electricity connection to Houses , Street light Connection for multiple streets connecting the primary road of the layout are carried out only in the DTCP approved layouts as well as lands which falls beyond 500m and no such above developments are seen in unapproved plots as well as in the lands below 500 m Zone from High Tide line.

Further , it is submitted that the Additional Chief Secretary to Government, Department of Environment, Climate Change in their letter dated 18.04.2024 (with enclosure)and stated that the information, which is self explanatory, among others, the Member Secretary, TamilNadu State Coastal Zone Management Authority/Director, Department of Environment and Climate Change has requested the Government to issue necessary instructions to the authorities concerned for effective implementation of Coastal Regulation Zone Notification in the State of Tamil Nadu vide in the reference 6<sup>th</sup> cited .

In continuation with the above, the TNPCCB has issued the circular memo vide reference 7<sup>th</sup> cited to the DEEs of the coastal District in Tamilnadu and stated the followings

“.....New projects coming under CRZ area, applying for consent of TNPCCB under the provisions of Water Act & Air Act shall be insisted to obtain CRZ clearance before start of the establishment activity.

In case of any complaint received on violations of CRZ Notification about the project activities under establishment/completed, the same shall be reported to the

concerned department of DTCP/LPA/Local bodies for action on those building projects without obtaining planning / CRZ permission, other than projects of industrial activity.

Existing/new project of industrial activity under CRZ area shall be inventoried & DEEs shall take action for those violations without required permission under CRZ & Consent of TNPCB ....."

Subsequently, the above said letter and memo from Government and TNPCB are placed before the DCZMA meeting held on 07.06.2024 and the same are communicated to all DCZMA Members including officials of DTCP , local Bodies in the meeting for necessary compliance.


This submitted kind information and necessary action please.

  
06.01.25  
Assistant Executive Engineer

Department of Environment/TNSCZMA  
Chennai

  
06-01-25  
Assistant Director

Directorate Town & Country Planning  
Villupuram

  
06/01/25  
Assistant Environmental Engineer  
Tamilnadu Pollution Control Board  
Villupuram

  
6/1/25  
Sub Collector  
Tindivanam