

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 4TH RESPONDENT

THE DISTRICT COLLECTOR, VILLUPURAM.

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Through

Dr. D. Shanmuganathan

Standing Counsel for Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

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

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**MEMO FILED BY THE STANDING COUNSEL FOR GOVERNMENT OF
TAMILNADU ON BEHALF OF THE DISTRICT COLLECTOR,
VILLUPURAM.**

I respectfully refer to the above-mentioned original application and the direction issued by the Hon'ble Tribunal dated 10.01.2025, which states:

“Therefore, the Joint Committee is directed to revisit the properties, do the ground truthing and file a report with particular reference to the survey numbers on which the properties are developed by the 11th Respondent. “

In compliance with the directions of the Hon'ble Tribunal, a Joint Committee inspection was conducted on 25.01.2025 by the following officials:

1. The Sub-Collector, Tindivanam
2. Assistant Executive Engineer, Department of Environment and Climate Change
3. Assistant Director, Directorate of Town and Country Planning, Villupuram

4. Assistant Environmental Engineer, Tamil Nadu Pollution Control Board, Villupuram

The Joint Committee Report is enclosed herewith, along with the memo, for your kind perusal.



Dr D Shanmuganathan
Standing Counsel For Government Of Tamil Nadu
National Green Tribunal
Southern Zone
Chennai

INSPECTION REPORT OF
THE JOINT COMMITTEE
AS PER THE HON'BLE NATIONAL
GREEN TRIBUNAL (SZ), CHENNAI
ORDER DATED 010.1.2025
IN O.A. NO. 13 OF 2024(SZ).

INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED BY THE CHAIRMAN OF DCZMA/ DISTRICT COLLECTOR,VILLUPURAM AS PER THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI ORDER DATED 010.1.2025 IN O.A. NO. 13 OF 2024(SZ).

Sub: DCZMA - Viluppuram OA No.13 of 2023 filed by Thiru.S.Sivadas before the Hon'ble NGT (SZ) Chennai allegation of developments in CRZ area in Marakkaanam (North) Village Marakkanam Taluk – Viluppuram District by Joint inspection report - Submitted-regarding.

**Ref: 1.District Collector, Villupuram Proceeding dated 03.10.2024
2.HON'BLE NATIONAL GREEN TRIBUNAL (SZ), CHENNAI ORDER DATED 10.1.2025 IN O.A. NO. 13 OF 2024(SZ).**

In pursuance of the references 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 25 .1.2025 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 4th respondent, Chairman, Tamil Nadu Pollution Control Board, Chennai 7th respondent and the District Environmental Engineer, Tamil Nadu Pollution Control Board, Villupuram as 8th respondent against the ongoing, continuing illegal activity of the 11 the 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.

JOINT INSPECTION OF THE COMMITTEE

In pursuance to Hon'ble National Green Tribunal order dated 10.1.2025. the Joint Committee has inspected the above said site on 25.1.2025. During the time inspection, the committee observed the following.

The said location comes under the local body jurisdiction of Marakkanam Town panchayat, Marakkanam Po, Marakkanam Taluk, Viluppuram District.

1. The following lands are lying beyond 500m from the HTL

a). Manju Foundation Pvt Ltd purchased the lands bearing the following survey no from Pedro developers/Metis developers/Kaleena developers pvt ltd from 2015 in Various valid sale documents on the file SRO Marakkanam.

R.S No 174/8,174/9, 174/10, 174/11, 174/12, 174/13, 174/14, 174/21, 181/4b2A, 181/4b3, 181/7a2, 181/5b3b, 188/1A, 188/1B, 188/2, 188/3,189/1B, 189/1A, 189/1A1, 189/2A,189/2b, 190/28,190/1b1, 190/1b3, 190/2, 190/3, 191/1A1, 191/1A4, 191/1B, 191/1C, 191/2A3, 191/2B2, 191/2c2, 192, 193/1A1, 193/1A2, 194/1,194/2 lying **beyond 500m** from the High Tide line .

b)In the above survey numbers , lands in the following survey numbers bearing R.S 181/4b2A, 181/4b3, 181/5b3b, 188/1B, 188/2, 188/3,,189/1B, 189/1A, 189/1A1, 189/2A,189/2b, 190/28,190/1b1, 190/1b3, 190/2, 190/3, 191/1A1, 191/1A4, 191/1B, 191/1C, 191/2A3, 191/2B2, 191/2c2, 193/1A2 are approved by authorities concerned such as Assistant director DTCP Viluppuram , EO town panchayat Marakkanam and residential development activities such as construction of houses , Electricity connection to streets lights and Houses, water connection to houses , black top roads to several streets are carried out in the above area .

c)Land bearing R.S no 192 which was also alleged by the petitioner 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. Sand dune are seen only beyond 700m from the HTL

2.Lands of the unit developer lying below 500m from HTL

a)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, 211/6,211/7, 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 and developed unapproved layouts , selling unapproved plots to third parties in the name of farm plots during the year 2015 and 2016 in the style of Bhinaaya Beach, Bhavishya Beach, Barsha Beach and Bhavita Beach . They informed that as per the new Govt rules for regularisation of unapproved plots they stopped selling unapproved plots from the year 2016 .

b)During Inspection it was also 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 in unapproved layouts and all the plots are left vacant till date .

3)Details of Building construction in survey Lands lying below 500m from HTL (lands relate to project proponent)

S.N	Survey No alleged by NGT petitioner	Actual survey no with subdivision	Extent in Hec (As per records)	Purchased extent by Manju foundation Pvt lts. (in acres /cents)	Doc no/Year/From whom Manju Foundation pvt ltd company purchased the land	Location of the land and details of existence of building construction as ordered by Honble NGT
1	189	189/4 A	0.11.0	0.28	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 3972/2015 date 4.11.2015	below 500m from HTL-No building construction existed or underway
2		189/4 b1		1.13 2.97	Pedro developers/Metis developers/Kaleena developers pvt ltd Doc No. 3972/2015 dated 4.11.2015 Doc No.2203/2024 dated 22.5.2024	below 500m from HTL-No building construction existed or underway
3	195	195/1	1.22.0	0.29 1.28 1.30	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015 and doc no 3603/2015 dated 16.10 2015, Doc No 2203/2024 dated22.5.2024	below 500m from HTL-No building construction existed or underway
4		195/2	0.33.0	0.81	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 3972/2015 date 4.11.2015	below 500m from HTL-No building construction existed or underway
5		195/3	0.93.5	1.94 0.57	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 3603/2015 dated 15.10.2015Doc No.2203/2024 dated 22.5 2024	below 500m from HTL-No building construction existed or underway
6		195/4 D	2.33.0	3.41 0.05	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No. 2203/2024 dated 22.5.2024	below 500m from HTL-No building construction existed or underway

7	210	210/4 (Part)	1.31.0	0.11	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3603/2015 date 16.10.2015	Below 500m from HTL- water tank- 3.6x3.6x9.0=13 sqm Bathroom- (20x2x2.4=40 sqm) , toilet- (13.2x4x2.4=53sqm) are seen. Building seems nearing a decade and found in a disused condition for a prolonged period.
8		210/5 (Part)	0.42.0	0.46	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3603/2015 date 16 10.2015	below 500m from HTL- No building construction existed or underway
9	211	211/1 B (Part)	0.87.0	1.58	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3603/2015 date 15.10.2015	below 500m from HTL- No building construction existed or underway
10		211/2 C	0.47.0	0.99 0.17	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No.2203/ 2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway
11		211/3	0.93.0	2.21 0.12	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No.2203/ 2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway
12		211/4	1.22.5	2.72 0.63	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No.2203/ 2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway
13		211/5	0.63.0	1.22 0.33	Pedro developers/ Metis developers/Kaleena developers pvt ltd. Doc No. 3972/2015 date 4.11.2015. Doc No. 2203/2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway

14		211/6	0.96.0	0.11 0.03 2.23	Pedro developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015 and doc no 3603/2015 dated	below 500m from HTL- No building construction existed or underway
		211/7		0.91.00	16.10.2015, Doc No.2203/ 2024 dated22.5.2024	4 cement pillars (18 feet) on patta boundary
15	212	212/1	0.81.0	1.65 0.35	Pedro developers/Metis Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc.No. 3972/2015 date 4.11.2015, Doc No.2203/ 2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway
16		212/2	1.62.0	1.68 2.32	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No.2203/ 2024 dated22.5.2024	below 500m from HTL- No building construction existed or underway
17	212	212/3	8.86.0	2.00 5.05 16.61	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 1092/2023 date 20.3.2023, Doc No.2514/ 2023 dated 26.6.2023	below 500m from HTL- Watchman & EB shed with EB connection) concrete building roofed with asbestos sheet-2x2x2.4m=4sqm
18		213/2	0.51.0	1.26	Pedro developers/ Metis developers/ developers pvt ltd. Doc.No. 2202/2024 date 22.5.2024	below 500m from HTL- No building construction existed or underway
19		213/3	0.98.0	2.51	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc.No. 2202/2024 date 22.5.2024,	below 500m from HTL- No building construction existed or underway
20		213/4 A (Part)	0.58.0	0.12	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc.No. 2514/2023 date 26.6.2023	below 500m from HTL- No building construction existed or underway
21		213/4 B (Part)	1.90.0	0.83	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 2514/2023 date 26.6.2023	below 500m from HTL- No building construction existed or underway

4. Details of survey no in which land partly lying beyond 500M HTL and partly below 500m HTL. (lands relate to project proponent)

S.N	Survey No alleged by NGT petitioner	Actual survey no with subdivision	Extent in Hec (As per records)	Purchased extent by Manju foundation Pvt Its. (in acres /cents)	Doc no/Year/From whom Manju Foundation pvt ltd company purchased the land	location of the land and details for existence of building constructions
22	189	189/3A	1.36.0	0.03 1.91	Pedro developers/Metis developers/Kaleena developers pvt ltd Doc No. 3972/2015 date 4.11.2015, Doc No.2203/2024 dated 22.5.2024	No building construction existed or underway
23		189/3B		1.42	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 2200/2024 date 22.5.2024.	No building construction existed or underway
24	190	190/1A	03.94.5	3.96 3.98 1.81	Pedra developers/Metis developers/Kaleena developers pvt ltd. Doc No. 3972/2015 date 4.11.2015, Doc 2204/2024 dated 22.5.2024, Doc 2692/2023 dated 15.3.2023.	No building construction existed or underway
25	196	196/5A2 (Part)	5.05.5	6.57 3.68	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 3603/2015 date 16.10.2015, Doc 2203/2024 dated 22.5.2024	No building construction existed or underway
26	213	213/1A	1.14.0	0.26 1.99	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc No. 1885/2023 date 10.3.2023	No building construction existed or underway

In the above survey numbers, building construction are existed in the following survey nos as detailed below which falls below 500 m zone from HTL.

1	210	210/4 (Part)	1.31.0	0.11	Pedro developers/Metis developers/Kaleena developers pvt ltd.Doc No. 3603/2015 date 16.10 2015	water tank- 3.6x3.6x9.0=13 sqm Bathroom-(20x2x2.4=40 sqm) , toilet- (13.2x4x2.4=53sqm) are seen. Building seems nearing a decade and found in a disused condition for a prolonged period. And 4 cement pillars(18 feet) in R.s no 211/7 in patta boundary.
2	212	212/3	8.86.0	2.00 5.05 16.61	Pedro developers/Metis developers/Kaleena developers pvt ltd. Doc .No. 3972/2015 date 4.11.2015, Doc No.2203/2024 dated 22.5.2024	Watchman & EB shed with EB connection) concrete building roofed with asbestos sheet-2x2x2.4m=4sqm area

Apart from the above , no other building construction are seen in below 500 m zone and no building construction are underway.

5. Further submitted that on inspection the following are observed in below 500 m from the HTL.

a) 13 EB polls with light connections / and power junctions meter box are seen in R.s No 213/1a1,213,213/4A1,213/4b1A in one side along the wide linear straight pathway approaching to National highway which falls below 500 from HTL. Apart from the above No EB polls and electricity connection in the view of residential house or residential street Developmental purpose are erected as well as developed in unapproved layouts as well as in below 500 m zone.

b) White stones for marking boundaries of their patta land are seen in the entire approved /unapproved layout land area of the project proponent which falls beyond and below 500 m distance from the seashore. wire mesh fencing for boundary marking are seen in their patta land in below 500 m.

c) Stone path, covering an area of 4 cents was found in Govt poramboke land at a distance of 50 meter from the sea which is adjacent to developer land .


d) No sand dunes are found in below 500 m zone.

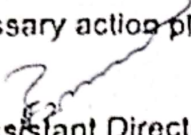
e) Green plants are grown with the support of dripping water pipes for watering green trees in survey no 189/3A,189/3B, and 213/1(Part), 213/2, 213/3 falling under 500 m distance from HTL. An extent of 1.30 acres in 213/1(Part), 213/2, 213/3 as farm lands had been sold to other persons and are left vacant lands.

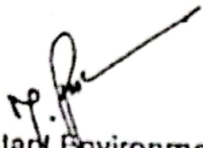
D) A linear wide Thar road was seen in R.S 189/1A, 189/4A, 190/1A, 194/1, 195/2, 195/4D, 211/2c, 211/3, 211/5, 212/1, 212/2 below 500 m zone for a distance of 500 meter approaching to the National highway and was used by developer and that area public residents. All others in this area are mud roads & pathway.

6) It is submitted that Building construction activities, Residential Developmental activities such as construction of houses, buildings Electricity connection to Houses, Street light Connection to multiple streets are carried out only in the DTCP approved layouts as well as lands which falls beyond 500m.

This submitted kind information and necessary action please.


Assistant Executive Engineer
Department of Environment/TNSCZMA
Planning Chennai


Assistant Director
Directorate Town & Country
Villupuram


Assistant Environmental Engineer
Tamilnadu Pollution Control Board
Villupuram


Sub Collector
Tindivanam.

DATE: 25.01.2025