

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

Original Application No. 152 of 2023

Kumaresan Sooluran

...Applicant

Vs

The Tamilnadu Coastal Zone  
Management Authority & Ors

...Respondents

**LIST OF DATES AND EVENTS**

<b>Sl. No.</b>	<b>Date</b>	<b>Event</b>
1.	August 2021	Fishers began noticing the intensifying spread of the kaakka aazhi / charu mussel / mytella strigata in the Ennore backwaters
2.	April 2022	Kaakka aazhi colonised significant portions of river including fishing grounds
3.	12.10.2022	Team of fishers met the Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu Wetlands Authority and made complaints regarding the infestation
4.	26.12.2022	Delegation of Ennore fishers met officials from Tamil Nadu Wetlands Authority and submitted representations
5.	27.12.2022	Ennore fishers used the help of a marine biologist to ascertain the scientific name of the kaakka aazhi and learn of its likely origin and behaviour
6.	28.12.2022	Joint Commissioner of Fisheries visited affected area

7.	03.01.2023	Site visit of Ennore creek by team from Tamil Nadu Dr. J Jayalalithaa Fisheries University (TNJFU), Dr. MGR Fisheries College and Research Institute (FC&RI), State Fisheries Department, Central Marine Fisheries Research Institute (CMFRI)
8.	28.02.2023	Public Works Department / Water Resources Department conducted bathymetry surveys of area
9.	06.03.2023	Delegation of Ennore fishers meet the Commissioner of Fisheries
10.	04.04.2023 05.04.2023	Removal of kaakka aazhi by Kattukuppam and Mugathwarakuppam fishers at Karukkumaram Kandachedi paadu
11.	21.04.2023	Visit by AE, PWD at infested site - Karukkumaram Kandachedi paadu
12.	10.05.2023	Samples from infested area collected by Tamil Nadu Wetlands Authority
13.	13.05.2023	Mussel mortality test by Tamil Nadu Wetlands Authority
14.	20.09.2023	Subject OA No. 152 of 2023 filed
15.	04.10.2023	Subject OA admitted
16.	06.11.2023	The Hon'ble Tribunal stated that " <i>we expected the Water Resources Department (WRD) to start the dredging, so that the further spreading may be avoided.</i> "
17.	08.08.2024	The Hon'ble Tribunal observed that " <i>despite the passage of over seven months, the State Government has not taken any action in this regard, knowing well that each day's delay would cause irreparable loss.</i> "

18.	30.08.2024	The Hon'ble Tribunal directed that <i>"no further related study is required in this regard, as has been decided in the meeting by the Chief Secretary."</i> <i>"As pointed out above the report is already available, it would suffice if the Chief Secretary can give the plan of action in this regard with the time frame for completion of the task."</i>
19.	09.09.2024	State government sought an adjournment
20.	11.09.2024	State government sought an adjournment
21.	18.09.2024	State government sought an adjournment
22.	20.09.2024	State government sought an adjournment
23.	24.09.2024	The Hon'ble Tribunal recorded that the State government <i>"on principle agreed to remove the charu mussels (mytella strigata) either manually and/or mechanically based on the report filed by the Central Marine Fisheries Research Institute."</i>  Hon'ble Tribunal directed as follows: <i>"As we have been insisting that the said action should have been taken even earlier, let the State Government say when they propose to start this and the approximate period it may take to complete the exercise."</i>
24.	03.10.2024	State Government filed a memo stating that three places, viz. Kattupalli, Puzhuthivakkam and Athipattu were identified to remove the charu mussel, and that <i>"by the beginning of next week in the above said places either by manually or mechanically work will be commenced to remove the deposit of charu mussel in order for the free flow of fresh water."</i>

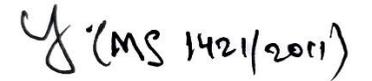
		Hon'ble Tribunal recorded as follows: <i>"It is assured by the learned counsel for the state of Tamil Nadu that the work will be commenced in the abovementioned places from 07.10.2024."</i>
25.	21.10.2024	Hon'ble Tribunal observed as follows: <i>"The Water Resources Department has not made much progress, except by producing certain photographs showing, at three points referred to in the earlier order, handpicking the charu mussel and removing them mechanically. The photographs reveal that steps have been taken only yesterday i.e. 20.10.2024 though the order was passed on 03.10.2024. The photographs also go to show that only one man was employed and one machine was employed for removing the charu mussel."</i>
26.	24.10.2024	State government sought an adjournment
27.	25.10.2024	Hon'ble Tribunal observed as follows: <i>"Despite granting time, there was not much progress on the side of the State Government. Though it was agreed by the Water Resources Department by filing a memo dated 03.10.2024 that they would remove the charru mussel from the three places viz. Kattupalli, Puzhuthivakkam and Athipattu, they have engaged only 01 fisherman and 01 JCB machine in the process of removing the charru mussel. Considering the rapid growth of the charru mussel, we expect the state government to act more responsibly and swiftly by engaging more men and machines and removing the charru mussel to enable the free flow of water and boats to ply."</i>

		<i>Though it is the duty of the state government departments to remove the charru mussel in its entirety, it has taken so much time even to commence the work at the abovementioned places."</i>
28.	28.11.2024	The affidavit of the Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu Wetlands Authority states that <i>"the dredging work will be commenced in full-fledged manner from 30<sup>th</sup> November 2024."</i>
29.	29.11.2024	Hon'ble Tribunal records that the State Government <i>"will undertake the dredging work in the Kosasthalaiyar backwater in the three specific locations viz. Kattupalli, Puzhuthivakkam, Athipattu areas commencing from 30.11.2024. It is further stated that they will ensure that this mussel spread will be physically removed."</i>
30.	19.02.2025	Applicant filed a memo with photographs, showing that dredging had commenced only at the stretch from the railway bridge (west of the Ennore estuary) to the Athipattu bridge, and that no dredging in other infested areas has been undertaken.
31.	19.02.2025	The Hon'ble Tribunal states that <i>"even after the passage of two years, the Government has yet to identify the extent and intensity of the area infested by this invasive charu mussel in the Ennore creek.</i> <i>Already, the studies from NCSCM and CMFRI reports stated that biological eradication is not very successful and only to look for alternative methods.</i>

		<i>Be that as it may, the reports filed by departments have not even indicated as to the men and machines employed, distance covered and the measures taken to avoid the recurrence of multiplication."</i>
32.	17.03.2025	Over three months after the date on which dredging was to commence as per their own undertaking (30.11.2024), the State Government filed a report stating that dredging in the said locations " <i>shall be initiated based in the approval and allocation of necessary funds."</i>
33.	06.06.2025	The State Government sought an adjournment

It is therefore prayed that this Hon'ble Tribunal may be pleased to take these facts on record, and pass such orders as it deems fit, proper and necessary in the interest of justice.

Dated on this the 24<sup>th</sup> day of June, 2025 at Chennai

 (MS 1421/2011)

Counsel for the Applicant