

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

OA NO. 16 OF 2025

N. Ravi &

S. Manimegalai

...Applicants

-Vs-

Perumbakkam Panchayat Union Office

& 4 Ors

.... Respondents

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Dated at Chennai on this the 09th day of August 2025


Counsel for 5th Respondent

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI
OA NO. 16 OF 2025**

N. Ravi &

S. Manimegalai

.... Applicants

-Vs-

1. Perumbakkam Panchayat Union Office
Represented by its President
2/511, Medavakam Main Road
Perumbakkam, Chennai – 600 100

2. Tamil Nadu Pollution Control Board
Represented by its President
76, Mount Salai, Guindy
Chennai – 600 032

3. District Collector
Office of the District Collector
Grand Southern Trunk Road
Venbakkam, Chengalpattu – 603 111

4. Block Development Officer
St. Thomas Mount
No. 20, Chitlapakkam Main Road
Kamraj Colony, Nehru Nagar
Chitlapakkam, Chennai – 600 064


Superintending Archaeologist
Archaeological Survey of India
Chennai Circle, Fort St. George,
Chennai - 600 009.

5. Archaeological Survey of India

Represented by its Superintending Archaeologist

Chennai Circle

Fort St. George, Chennai – 600 009

.... Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE 5TH RESPONDENT

I, Sushanta Kumar Kar, son of Shri. Bibhuti Bhushan Kar, aged about 55 years, working as Superintending Archaeologist, Archaeological Survey of India, Chennai Circle, Chennai – 600009, do hereby solemnly affirm and sincerely state as follows.

1. I am filing this affidavit on behalf of the Respondent No.5, and I am duly authorized on this behalf, and I am conversant with the facts of the case as borne out from available official records.

2. At the outset I deny all the averments made in the application and save those that are specifically admitted herein. I am duly authorized to file this Counter Affidavit on behalf of the Respondent No.5 in this Application.

3. I humbly submit that liberty is further craved in making further submissions or filing additional affidavit as may be required in the facts of the case subsequently or as may be directed by this Hon'ble Tribunal.

4. I respectfully submit that the Megalithic Cists and Cairns located at Perumbakkam, Tambaram Taluk, Chengalpattu District is declared protected vide notification No. Educind, D.1129-AR/48, dated 29.10.1948 under the Ancient Monuments Preservation Act, 1904.


Superintending Archaeologist
Archaeological Survey of India
Chennai Circle, Fort St. George,
Chennai - 600 009.

The area of protected monument extends over 157.31 acres, covering Survey Nos. 427, 399/401, 402, 403, 422, and 425, which fall under Government and Government Reserve Forest ownership. **(Annexure -I)**.

5. I respectfully submit that the construction of a Panchayat Solid Waste Collection and Segregation Unit was initiated by way of land leveling and the laying of a pathway using modern debris in Survey Nos. 424 and 425 by the Block Development Officer, Perumbakkam, St. Thomas Mount, Chitlapakkam, Chennai - 64 (Respondent No. 4). The said survey numbers fall partly within the Prohibited and Regulated Areas of the Protected Monument at Perumbakkam.

6. I submit that as per the Section 20A of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 an area extending to a distance of one hundred meters from protected monument is declared as prohibited area. Further, as per section 20B of the Act, an area extending to a distance of two hundred meters, further beyond prohibited area is declared as regulated area.

In prohibited area only repairs and renovations are permitted. Whereas in regulated area all sorts of construction related activities (construction, re-construction, repairs and renovations) are permitted with prior permission from Competent Authority.

7. The Section 30A and Section 30B specifies provision of penalty on violation of the Section 20A and Section 20B. Punishment of imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both is

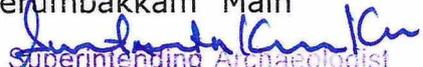

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Chennai Circle, Fort St. George,
Chennai - 600 009.

specified on construction in prohibited area. For taking up construction in the regulated area without the previous permission of the Competent Authority, the specified punishment is imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

8. When the unauthorized dumping of waste and laying of pathway with modern construction debris was noticed, the Junior Conservation Assistant, Chennai Sub-circle of Archaeological Survey of India, Chennai Circle had issued a Stop Notice on 06.01.2025 to the Block Development Officer, St. Thomas Mount Panchayat Union, Chittalapakkam, Chennai - 64 **(Annexure -II)**.

9. I submit that thereafter, Show Cause Notice was issued by the Superintending Archaeologist, Archaeological Survey of India, Chennai Circle (Respondent No. 5) on 08.01.2025 **(Annexure -III)**. Copies of these Stop Notice and Show Cause Notices were endorsed to the District / Revenue/ Police officials. Further, a letter was also sent to the District Collector, Chengalpattu District on 17.01.2025 **(Annexure -IV)** for issuing necessary instructions to the concerned officials to file FIR against the defaulters.

10. I submit that complaints were received from the President, Perumbakkam Muthalnilai Uratchi, Perumbakkam Main Road, Perumbakkam, Chennai - 100 dated 19.12.2024 and the President, Residents Welfare Association exclusively for Bollineni Hillside Phase -2, Perumbakkam Main Road, Nookampalayam, Chennai- 600126 regarding the garbage dumping activity on 03.01.2025. Complaints were also received from several other residents of Bollineni Hillside Phase -2, Perumbakkam Main


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Chennai Circle, Fort St. George,
Chennai - 600 009.

Road, Nookampalayam, Chennai- 600126 dated 03.01.2025, 04.01.2025, 05.01.2025.

11. I submit that RTI application was also received from Shri. Dinesh Kumar Paramasivam, Plot No. 6, Kasturis Piedmont, Nookampalayam Main Road, Perumbakkam, Chennai – 100 on 02.01.2025. Accordingly, it was replied on 27.01.2025.

12. I submit that the Block Development Officer, St Thomas Mount Block, Chitalapakkam had requested this Respondent for survey vide letter No. R.C No.0231/2025/B1, Dated: 08.04.2025 (**Annexure -V**). Accordingly, an inspection was carried out by this Respondent along with the officials of BDO at the proposed site for garbage dumping on 23.04.2025. The report of the Joint Inspection is enclosed (**Annexure - VI**).

11. I submit that as per the inspection conducted on 23.04.2025, the garbage which was dumped earlier in the Prohibited Area was partially removed by BDO. The BDO was asked to remove the garbage dump and also to clear the pathway filled with modern construction debris. They were also asked to submit an action taken report to this Respondent. Further, no other construction activity was observed.

12. I submit that the proposed garbage dump unit comes within the Prohibited area (Survey No. 424, 425) of Megalithic Cists and Cairns, Perumbakkam, a centrally protected monument. Since no construction activity is permitted in the Prohibited area, this Respondent suggested to identify other suitable area and not to undertake any construction activity in Protected, Prohibited and Regulated areas without obtaining


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Archaeological Survey of India
Chennai Circle, Fort St. George,
Chennai - 600 009.

6
permission from Archaeological Survey of India/ National Monument Authority.

In view of the above, I respectfully submit that this Hon'ble National Green Tribunal may be pleased to consider the facts and submissions and may pass such order as deem fit, just and proper in the interest of justice.

Solemnly affirmed at Chennai on this
the 09th day of August 2025
and signed his name in my presence


Superintending Archaeologist
Archaeological Survey of India
Chennai Circle, Fort St. George,
Chennai - 600 009.

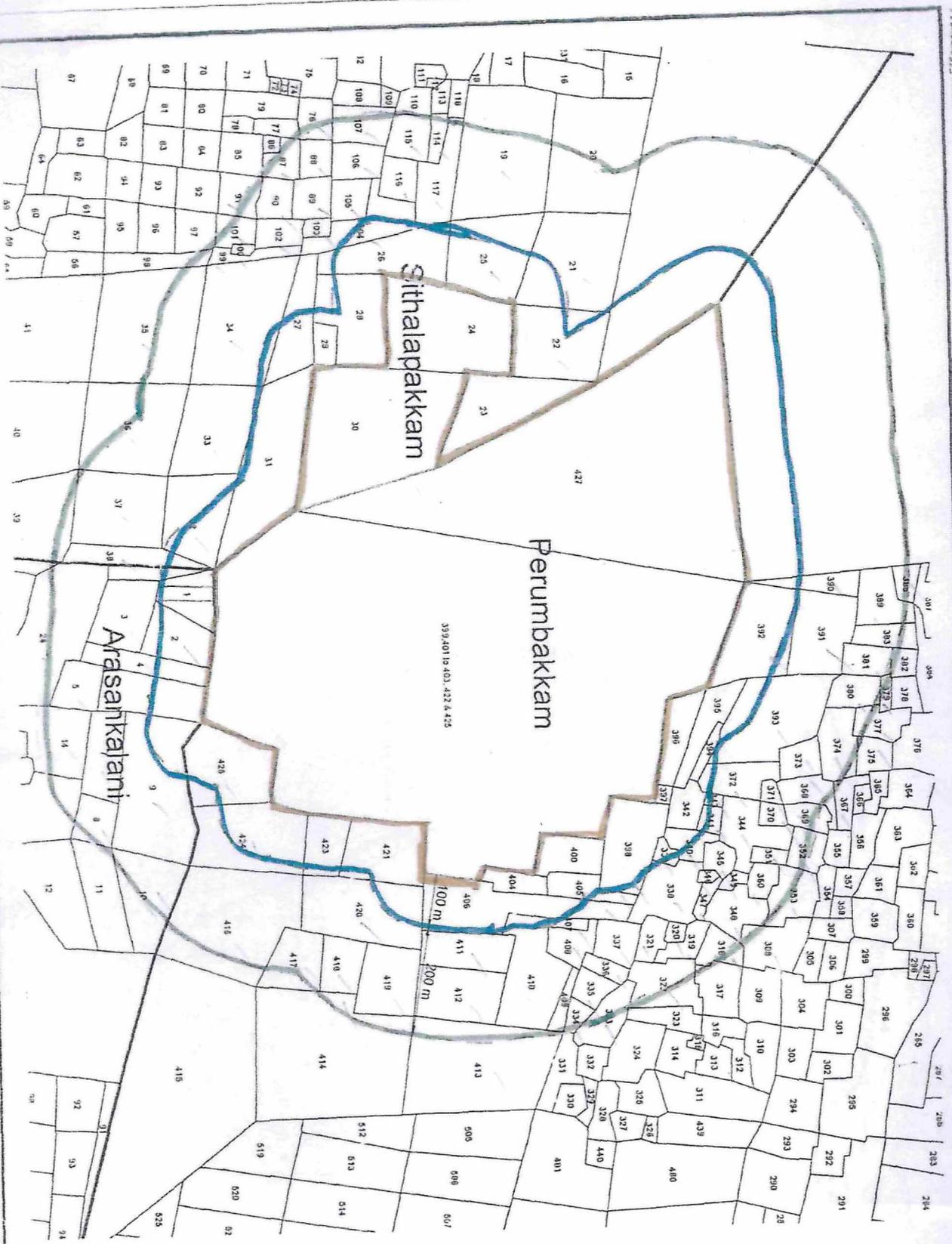
Before me

Ramanya MS 4306/23
No 14, Subramy Street,
Advocate
Triplicane - 05

DATA BASE OF PROTECTED MONUMENT AND PROTECTED AREA

(REF.NO.2471)

Serial	Particulars	Preliminary Notification	Final Notification
1a	Name (in Hindi)		
1b	Name (In English)	Megalithic Cists and Cairns.	Megalithic Cists and Cairns.
2	Monument /Area	Ancient Monument	Ancient Monument
3	State	Madras	Madras
4	District	Chingleput	Chingleput
5	Tehsil /Taluka	Chingleput	Chingleput
6	Locality	Perumbakkam	Perumbakkam
7a	Gazette Name	The Gazette of India	The Gazette of India
7b	Place	New Delhi	New Delhi
7c	Number	23	45
7d	Date	05-06-1948	06-11-1948
7e	Part & Section	Part -1, Section-1	Part -1, Section-1
7f	Authority	Central Government	Central Government
7g	Page Number(s)	663	1486
8a	Notification Place	New Delhi	New Delhi
8b	Number	D-1129-AR/48	D-1129-AR/48
8c	Date	01-06-1948	29-10-1948
9a	Act	AMP Act 1904 (VII of 1904)	AMP Act 1904 (VII of 1904)
9b	Section	Section 3	Section 3
10	Survey Plot No	427 & 399,401,402,403,422,425	427 & 399,401,402,403,422,425
11	Area	157.31 acres	157.31acres
12	Ownership	Government & Government RF	Government & Government RF
13	Boundary	For S.no.427, North : S.No.428, East: S.No.399. South&West : Village boundary of V.No. 182, Sittalapakkam For S.No. 399/401,402,403,422,425 North : S.No.392,396,397,398/5,400/1,4,5, 404 East :S.No.427, South ; Village boundary of V.No. 186, Arasankalani and V.No.182, Sittalapakkam. , West :S.Nos. 396,397,398/5,400/1,4,5,406,421/2,423,424,426.	For S.no.427, North : S.No.428, East: S.No.399. South&West : Village boundary of V.No. 182, Sittalapakkam For S.No. 399/401,402,403,422,425 North : S.No.392,396,397,398/5,400/1,4,5,4 04 East :S.No.427, South ; Village boundary of V.No. 186, Arasankalani and V.No.182, Sittalapakkam. , West :S.Nos. 396,397,398/5,400/1,4,5,406,421/2,423,424,426.
14	Site Plan	-	-
15	Mauza	-	-
16	Authority	Central Government	Central Government
17a	Ministry	Education	Education
17b	Department	Archaeology	Archaeology
18	File Number	-	-
19	Signatory	M.S.Sundaram, Dy. Secy	P.N. Kirpal, Dy. Secy
20	Remarks, if any	-	-
21	Comments	-	-

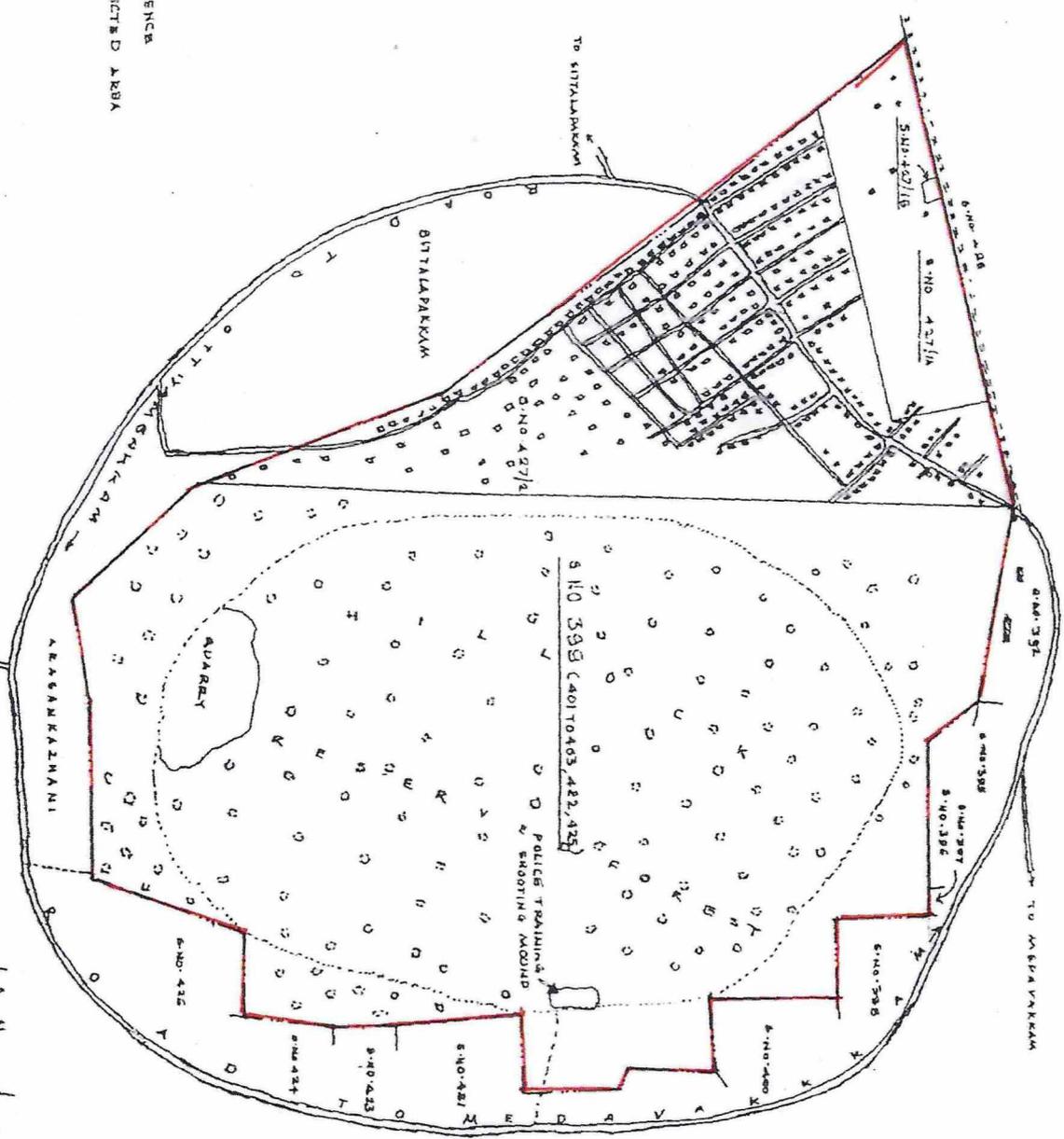


LEGEND

-  Notified Ancient Monuments and Archaeological Sites and Remains under the Ancient Monuments and Archaeological Sites and Remains Act, 2010
-  From the Ancient Monuments and Archaeological Sites and Remains Act, 2010, a red line shall be drawn around a site notified for development and beyond it 200 meter depth (i.e. 100m to 300m around) is the restricted area for development.

Plan Showing the Location of the Site notified by the Archaeological Survey of India
 Perumbakkam & Sithalapakkam Village

SITE PLAN OF MEGALITHIC CISTS AND CAIRNS AT PERUMBAKKAM
 TALUK - TAMBARAM . DISTRICT-KANCHEEPURAM SCALE : 1 : 4000



REFERENCE
 PROTECTED AREA

PREPARED ON BASIS OF REVISED MAP
 BY : RYIMANNAKAM, GOVETTER.

TO DITTALAPAKKAM
 TO ASPAVAKKAM
 TO OTTAMBAKKAM
 SUPRINTENDING ARCHAEOLOGIST
 13/11/2000



प्रलकीर्तिमपावृणु

GOVERNMENT OF INDIA
ARCHAEOLOGICAL SURVEY OF INDIA
CHENNAI SUB CIRCLE
NOTICE

F. No. NOC/PBK/CSC /2024-25/ 533

Dt: 06/01/2025

WHEREAS, it has been brought to the notice of this office that, The Block Development Officer St Thomas Mount Panchayath Union, Chitlapakkam, Chennai-600 064. Incharge/Owner of the property situated at Perumbakkam is carrying out unauthorized **Construction/Dumping yard** within the prohibited area of Megalithic Cists and Cairns Perumbakkam, a centrally protected monument;

AND WHEREAS, Section (1) of Section 20A of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (as amended), provides that, every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred meters in all directions shall be the protected area in respect of such protected area of protected monument;

AND WHEREAS, sub-section (1) of Section 20C of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (as amended), provides that any person, who owns any building or structure, which existed in a prohibited area before the 16th day of June, 1992, or, which had been subsequently constructed with the approval of the Director General and desires to carry out any repair or renovation of such building or structure, may an application to the Competent authority for carrying out such repair or renovation as the case may be;

AND WHEREAS, Section 30 A further provides that, whoever raises, on or after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the prohibited area, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees, or with both;

AND WHEREAS, by carrying out the aforesaid unauthorized construction, The Block Development Officer St Thomas Mount Panchayath Union, Chitlapakkam, Chennai-600 064 owner/Incharge/Occupier of the aforesaid premises appears to have contravened the provisions of sub-section (1) of Section 20C and therefore liable for action under Section 30 A of the Act;

NOW THEREFORE, the Central Government in exercise of its powers under sub-rule (1) of Rule 38 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, hereby directs The Block Development Officer St Thomas Mount Panchayath Union, Chitlapakkam, Chennai-600 064, Incharge/Owner of the aforesaid premises which is situated within the prohibited area of centrally protected monument namely Megalithic Cists and Cairns Perumbakkam to remove such unauthorized **Construction/Dumping yard** within seven days of the receipt of this notice, failing which, the Central Government shall in exercise of its powers under sub-rule (2) of Rule 38 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, cause the unauthorized building/construction removed at his/her/their cost and expenses.

Authorized Signatory

P. K. K.
6/1/25

Conservation Assistant
Chennai Sub Circle

To
The Block Development Officer
St Thomas Mount Panchayath Union,
Chitlapakkam, Chennai-600 064,

Archaeological Survey of India
Chennai Circle, Chennai-9

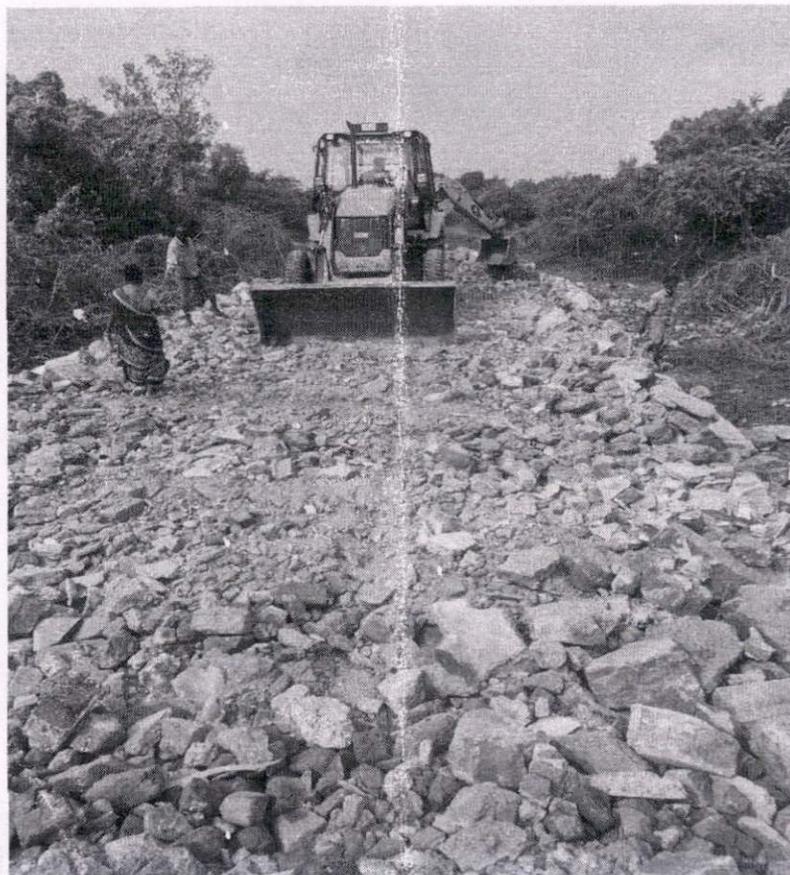
Diary No... 138 Date 06/01/25

File No. Section AVAct

Aisak?
S
6/1/25

Copy for kind information with the request to stop the illegal construction activity of said .
The Block Development Officer , St Thomas Mount Panchayath Union, Chitlapakkam, Chennai-600 064, cited above immediately to:

1. The District Collector, Chengalpattu for information and necessary action.
2. The Tahsildar, Tambaram Taluk (Perumbakkam village), Tambaram, for information and necessary action.
3. The Superintendent of police , Collectorate, Chengalpattu, Tamil Nadu 603002 Chennai- 600073 for information and necessary action please.
4. The President, perumbakam panchayat , Perumbakkam village, Tambaram Chennai- 603108 for information and necessary action please.
5. Copy submitted to the Superintending Archaeologist, ASI, Chennai Circle, Chennai-9 for favour of kind information.





प्रत्यक्षीरिमापावृणु

Government of India
Archaeological Survey of India
Chennai Circle

भारत सरकार
भारतीय पुरातत्व सर्वेक्षण
चेन्नै मन्डल

இந்திய அரசு
இந்திய தொல்லியல் துறை
சென்னை வட்டம்

Fort St George, Chennai - 09

फोर्ट सेंट जार्ज, चेन्नै 09

புனித ஜார்ஜ் கோட்டை, சென்னை - 09

F. No. 1/AVACT/CC/CSC/PBM/ 32

Date: 08/01/2025

SHOW CAUSE NOTICE

WHEREAS, it has been brought to the notice of this office that **The Block Development Officer, St. Thomas Mount Panchayat Union, Chitalapakkam, Chennai – 600 064** has carried out/is carrying out **unauthorized construction/ dumping yard** within the **Prohibited area of Megalithic cists and cairns, Perumbakkam, Chengalpattu District** a Centrally Protected Site;

AND WHEREAS, sub-section (1) of section 20A of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (as amended), provides that, every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred meters in all directions shall be the prohibited area in respect of such protected area or protected monument.

AND WHEREAS, sub-section (1) of section 20C of the Ancient monuments and Archaeological Sites and Remains Act, 1958 (as amended), provides that any person, who owns any building or structure, which existed in a prohibited area before the 16th day of June 1992, or, which had been subsequently constructed with the approval of the Director General and desires to carry out any repair or renovation of such building or structure, may make an application to the Competent Authority for carrying out such repair or renovation as the case may be;

AND WHEREAS, Section 30 A further provides that, whoever raises, on or after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, came into force, any construction in the prohibited area, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both;

AND WHEREAS, by carrying out the aforesaid unauthorized construction **The Block Development Officer, St. Thomas Mount Panchayat Union, Chitalapakkam, Chennai – 600 064**, the owner/occupier of the aforesaid premises appears to have contravened the provisions of sub-section (1) of section 20 C and therefore liable for action under section 30A of the Act;

NOW THEREFORE, the Central Government in exercise of its powers under sub-rule (1) of Rule 38 of the Ancient Monuments and Archaeological sites and Remains Rules, 1959 hereby directs, **The Block Development Officer, St. Thomas Mount Panchayat Union, Chitalapakkam, Chennai – 600 064**, the owner/occupier of the aforesaid premises which is situated within the **Prohibited area** of Centrally Protected Site namely **Megalithic cists and cairns, Perumbakkam, Chengalpattu District** to remove such **unauthorized building/ construction/ dumping yard** within seven days of the receipt of this notice, failing which, the Central Government shall in exercise of its powers under sub-rule (2) of rule 38 of the Ancient Monuments and Archaeological sites and Remains rules, 1959, cause the unauthorized building/construction removed at his/her/their cost and expenses.

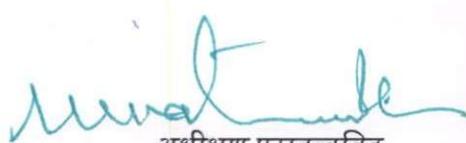
A Stop Notice has already been issued to you vide Notice **F. No. NOC/PBK/CSC/2024-25/533 dt: 06.01.2025** by the **Jr. Conservation Assistant, Archaeological Survey of India, Chennai Sub Circle, Chennai**. You are hereby directed to show cause why the **unauthorized construction/ dumping yard** undertaken by you in the **Prohibited area** of Centrally Protected Site **Megalithic cists and cairns, Perumbakkam, Chengalpattu District** in violation of the AM&ASR (Amendment & Validation) Act 2010, should not be demolished. Your explanation should reach this office within ten days of receipt of this notice.

If no reply is received from you within the stipulated period, further action will be taken in this matter as per the provisions of the Act.

To
The Block Development Officer,
St. Thomas Mount Panchayat Union,
Chitalapakkam, Chennai – 600 064.

Sd/-xxxx-xxxx
अधीक्षण पुरातत्वविद्
Superintending Archaeologist

1. Copy to the District Collector, Chengalpattu for kind information and with a request to instruct concerned authorities to stop the unauthorized construction/ dumping yard and demolition of the same.
2. Copy to the Corporation Commissioner, 1, Muthuranga Mudali St, West Tambaram, Tambaram, Chennai, Tamil Nadu - 600045 Tambaram for kind information with a request to take action to stop the unauthorized construction/ dumping yard and instruct the authorities concerned under your jurisdiction for taking necessary action.
3. Copy to the Superintendent of Police with request to instruct the Inspector of Police/Sub Inspector of Police, S-10 Pallikaranai Police station, Madipakkam Range, Medavakkam, Chennai - 600 100 for kind information to take action against the unauthorized construction as under rules.
4. Copy to the Tahsildar, Tambaram Taluk Office, Tambaram for kind information with a request to take action to stop the unauthorized construction/ dumping yard and instruct the Revenue/Panchayat officials concerned under your jurisdiction for taking necessary action.
5. Copy to the Member Secretary, National Monument Authority, 24, Tilak Marg, New Delhi - 110 001 for kind information and necessary action.
6. Copy to the Competent Authority for Tamil Nadu, Government of India, Archaeological Survey of India, Fort St. George, Chennai - 600 009 for kind information and necessary action.
7. Copy to the Jr. Conservation Assistant, ASI, Chennai Sub Circle, Chennai for information and necessary action. He is directed to inspect the site/ building under question and submit a detailed report along with Photographs. He is also instructed to lodge complaint with local police station and submit copy of the FIR/ Complaint report to this office for further action.
8. Copy to the Horticulture Assistant, ASI, Chennai sub circle for information.


अधीक्षण पुरातत्वविद्
Superintending Archaeologist
S. Sekhar
07/01/25



Government of India
Archaeological Survey of India
Chennai Circle

प्रलकीर्तिमपावृणु
भारतसरकार
भारतीयपुरातत्वसर्वेक्षण
चेन्नैमन्डल,

இந்திய அரசு
இந்திய தொல்லியல் துறை
சென்னை வட்டம்

Fort St George, Chennai 600 009

फोर्टसेंटजार्ज, चेन्नै- 600 009

புனித ஜார்ஜ் கோட்டை, சென்னை 600 009

F. No. 1/ AVACT/CC/CSC/PBM/ 115

Date: 17/01/2025

To

The District Collector,
Chengalpattu District,
Chengalpattu.

Sub: Stopping of unauthorized construction/ dumping yard in the prohibited area of Megalithic Cists and Cairns, Perumbakkam, Chengalpattu District, Centrally Protected Site - Reg.

Sir/Madam,

With reference to the subject cited above, it is to inform you that Megalithic Cist and Cairns, Perumbakkam, Chengalpattu District at **Survey Number 427, 399, 401, 402, 403, 422 and 425** is a Centrally Protected Site vide Govt. of India Notification **Educind, D.1129 – AR/48** dated **29.10.1948** as per the provisions of Ancient and Monument Preservation Act 1904 and Ancient Monument & Archaeological Sites and Remains (AMASR) Act, 1958 & Rules 1959 and the AMASR (Amendment and Validation) Act, 2010. This Centrally Protected Site is preserved and maintained by Archaeological Survey of India, Chennai Circle.

As per sub-section (1) of section 20A of the Ancient Monuments and Archaeological sites and Remains Act, 1958 (as amended), provides that, every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of **one hundred meters** in all directions shall be the **prohibited area** in respect of such protected area or protected monument.

AND WHEREAS, sub-section (1) of section 20C of the Ancient monuments and Archaeological sites and Remains Act, 1958 (as amended), provides that any person, who owns any building or structure, which existed in a **prohibited area** before the 16th day of June 1992, or, which had been subsequently constructed with the approval of the Director General and desires to carry out any repair or renovation of such building or structure, may make an application to the Competent Authority for carrying out such repair or renovation as the case may be;

It is reported by the **Junior Conservation Assistant, Archaeological Survey of India, Chennai Sub Circle, Chennai** vide stop notice issued F. No. NOC/PBK/CSC/2024-25/533 dt: 06.01.2025 (copy enclosed) that **The Block Development Officer, St. Thomas Mount Panchayat Union, Chitalapakkam, Chennai – 600 064** has carried out an unauthorized construction/ dumping yard in the **prohibited area** of Megalithic Cist and Cairns, Perumbakkam, Chengalpattu District which is a violation of the above Act and Rules. Further, this office has also issued show cause notice to the individual and copy endorsed to the district/revenue/police authorities to take necessary action in this matter vide **F. No.**

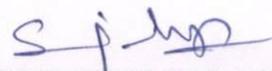
1/AVACT/CC/CSC/PBM/32 dt: 08.01.2025 (copy enclosed). A copy of the complaints received from the public has also been enclosed.

Hence, it is hereby requested to issue necessary instructions to the officials concerned to file F.I.R. for the unauthorized construction/ dumping yard in the prohibited area of the Centrally Protected Site.

This matter may be treated as most urgent.

Yours faithfully,

Encl: As above


f SUPERINTENDING ARCHAEOLOGIST

S. Sekhar
16/01/25

Copy for information and necessary action.

1. The Corporation Commissioner, 1, Muthuranga Mudali St, West Tambaram, Tambaram, Chennai, Tamil Nadu - 600045 Tambaram with a request to take action to stop the unauthorized construction/ dumping yard and instruct the authorities concerned under your jurisdiction for taking necessary action.
2. The Superintendent of Police, Chengalpattu District with a request to issue suitable instructions to the local Police for stopping the unauthorized construction/ dumping yard activities and initiate necessary action under the act against the offenders.
3. The Inspector of Police/Sub Inspector of Police, S-10 Pallikaranai Police station, Madipakkam Range, Medavakkam, Chennai - 600 100 for information and necessary action.
4. The Tahsildar, Tambaram Taluk Office, Tambaram with a request to issue suitable instructions to the officials concerned for removing the unauthorized construction/ dumping yard from the Centrally Protected Site.
5. The Junior Conservation Assistant, ASI, Chennai Sub Circle, Chennai with an instruction to pursue the matter with the District/Local Revenue/Police Authorities and submit the report of follow up action. He is also instructed to lodge a complaint in the local police station immediately.
6. The Horticulture Assistant, ASI, Chennai sub circle for information and instruction to co ordinate with the Junior Conservation Assistant, ASI, Chennai Sub Circle, Chennai.

ANNEXURE - V

21

From

L.Nirmal Kumar,
Block Development Officer (V.P.),
St. Thomas Mount Block,
@ Chitlapakkam.

To

Superintending Archaeologist,
Chennai Circle (ASI),
Fort St. George,
Chennai - 600009.

R.C.No.0231/2025/B1, Dated. 03.04.2025.

Sir,

Sub.. Suit - National Green Tribunal (Southern Zone) - Rural Development & Panchayat Raj Department - Chengalpet District - St.Thomas Mount Block - Perumbakkam Panchayat - Original Application No. 16 of 2025 - filed by Tr. N. Ravi & Tmt/Selvi. S. Manimegalai requesting to restrain the creation of a dump yard in residential area- Called for Joint Inspection - Reg.

- Ref..
1. Letter sent to the District Collector, Chengalpet District vide R.C.No.0855/2023/B1, dated.30.07.2024.
 2. This office letter vide R.C.No.0855/2023/B1, dated.26.10.2024 & 07.01.2025.
 3. Resolution passed by the Panchayat counsel, Perumbakkam Panchayat numbered as 43, dated.06.09.2024.
 4. Letter from Panchayat President, Perumbakkam Panchayat vide R.C.No.0855/2023/B1, dated.27.12.2024.
 5. Letter sent to Superintendent, ASI vide R.C.No.0855/2023/B1, dated.27.12.2024.
 6. Lr. received from Conservation Assistant, Chennai Sub Circle, Archaeological Survey of India vide F.No.NOC/PBK/CSC/2024-25/533, dated.06.01.2025.
 7. Lr. received from Superintending Archaeologist, ASI - Chennai circle, Fort St. George, Chennai - 600009 vide F.No.1/AVACT/CC/CSC/PBM/115, dated.17.01.2025.
 8. This office letter vide R.C.No.0855/2023/B1, Dated.21.01.2025.
 9. Lr. sent to the Standing Counsel for Government of Tamil Nadu, National Green Tribunal vide R.C.No.0231/2025/B1, Dated.03.03.2025.
 10. Connected records.

I invite your kind attention to the references cited above.

I wish to state that detailed compliance report has been sent vide Ref (7) cited against your letter dated 17.01.2025 (copy enclosed).

In the mean time, a case has been filed in the Hon'ble National Green Tribunal (Southern Zone) (O.A.No.16 of 2024) by Thiru.N.Ravi & Tmt.R.Manimegalai with the prayer to restrain the respondents from carrying out any tree felling or garbage dumping activities in the proposed dumpyard situated in Arasankalani, Perumbakkam Village.

Archaeological Survey of India Chennai Circle, Chennai-9	
Diary No. 11/2025	Date 15.4.25
File No.	Section. Murub

22

In this regard, I wish to state that as per Revenue Department records, the classification of the Survey no. 424 & 426 is mentioned as Meikkal, whereas in your letter dated 17.01.2025, it is mentioned that the above mentioned area comes under the prohibited area of Megalithic Cist and Cairns, Perumbakkam.

In order to confirm the extent of the area which comes under the prohibited area of Megalithic Cist and Cairns, Perumbakkam and to select a land suitable for creating a temporary dumpyard which acts as a transfer unit for disposing garbages in perumbakkam panchayat, a joint inspection can be made with the concerned officials of Archaeological Survey of India, Revenue Department, Pollution Control Board as well as Rural Development and Panchayat Raj Department. Further, it is mandatory to file a status report in the National Green Tribunal (SZ) regarding the plans and actions taken.

Hence, I request you to send the concerned officials from the Department of Archaeological Survey of India for conducting joint inspection regarding this matter on 23.04.2025 (Wednesday) by 11.00 AM at Survey No.424 & 426.

Detail of the Nodal Officers for Joint Inspection:

1. Tmt.K.Praveena Susilkumari,
Zonal Dy. Block Development Officer (Zone - III),
St.Thomas Mount Block.
Contact No. 7402902316
2. Tr.S.Rajesh Kumar, Overseer,
St. Thomas Mount Block.
Contact No.6369437040

Encl.. Copy of letter cited in Ref (8).

[Handwritten Signature]
Block Development Officer (V.P.),
St.Thomas Mount Block.

[Handwritten Signature]
@ Chitlapakkam.

Copy to.. The District Collector, Chengalpet District.

Copy to.. PA to Collector (Legal), Chengalpet District.

Copy to..District Environmental Engineer, TNPCB, Maraimalai Adigalar Street,
Maraimalai Nagar, Chengalpattu - 603209.

Copy to.. Tahsildar, Tambaram Taluk.

Copy to..Tmt.K.Praveena Susilkumari, Zonal Dy. Block Development Officer (Zone - III),
St.Thomas Mount Block.

Copy to..Tr.S.Rajesh Kumar, Overseer,
St. Thomas Mount Block.

23

Joint Inspection with ASI, Chennai Circle and BDO, Chitalapakkam on the proposed Garbage dump at Centrally Protected Site Megalithic Cairns and Cists, Perumbakkam

In continuation to the request made by Block Development Officer, St. Thomas Mount Block, Chitalapakkam, a joint inspection was made on 23.04.2025 at the centrally protected site 'Megalithic Cairns and Cists, Perumbakkam', Tambaram Taluk, Chengalpattu District (TN) for the garbage dump proposed at the above site. The site was declared as centrally protected site vide gazette notification Educind, D.1129 -AR/48 dated 29.10.1948.

The garbage dump proposal has earlier been opposed by the Public and Residents welfare Association, Bollineni Hillside Phase residential complex and a litigation (O.A.16/2025) has been filed by Vigneshwara Homes Private limited before National Green Tribunal (NGT) highlighting the threat faced to the forest, its eco-system and health hazard to the local residents and restrain their proposal. ASI, Chennai circle is one of the respondents in the O.A. A show cause notice has also been issued to BDO, Chitalapakkam by ASI, Chennai circle in Jan 2025.

The following were present during the inspection:-

ASI

1. Dr. M. Rajesh, ASA, Chennai circle.
2. Sh. J. Kuppusamy, Surveyor, Gr. I, Chennai circle
3. Sh. P. Ramakrishnan, Jr. Conservation Assistant, Chennai Sub-circle

BDO

1. Sh. Nirmal Kumar, BDO
2. Sh. VenkatRaghavan, BDO
3. Sh. Venkatesan, VAO

Pursuant to the joint inspection at the proposed site, the following were discussed / emerged for further course of action:-

(a) It was observed that the proposed garbage dump comes within the prohibited area (Survey No. 424, 425 *Meykalporomboke*) of the centrally protected site. Since no new construction is permitted within the prohibited area, BDO was suggested to identify a suitable area keeping in view the litigation filed by the local residents and approach National Monuments Authority (NMA), New Delhi through Competent Authority (TN) for obtaining NOC.

(b) BDO was requested to visit the office of CA (TN) to understand the application process and submit a detailed project report as per prescribed guidelines including HIA.

(c) The garbage was dumped earlier in the prohibited area and during the inspection was found to be removed by BDO partially.

DA

(d) During inspection it was observed that surface of the proposed area for dump (prohibited area) found to contain ancient relics in the form of broken pot-sherds which form grave goods of the burials disturbed during the clearance work done earlier by BDO. A solitary flake stone tool was also collected at the same area.

(e) Keeping in view of the above, BDO officials were instructed to clear the pathway filled with modern construction debris put earlier by them and submit action taken report along with images on the above to NGT under intimation to this office.

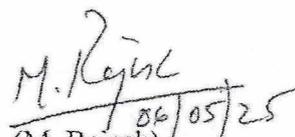
(f) No construction activities by BDO were observed during the inspection. However, BDO officials have also been requested not to undertake any construction in protected, prohibited /regulated area without any clearance from ASI / NMA.


(P. Ramakrishnan)

Jr. Conservation Assistant
ASI, Chennai Circle



(J. Kuppusamy)
Surveyor, Gr. I
ASI, Chennai Circle


06/05/25
(M. Rajesh)

Asst. Suptdg. Archaeologist
ASI, Chennai Circle

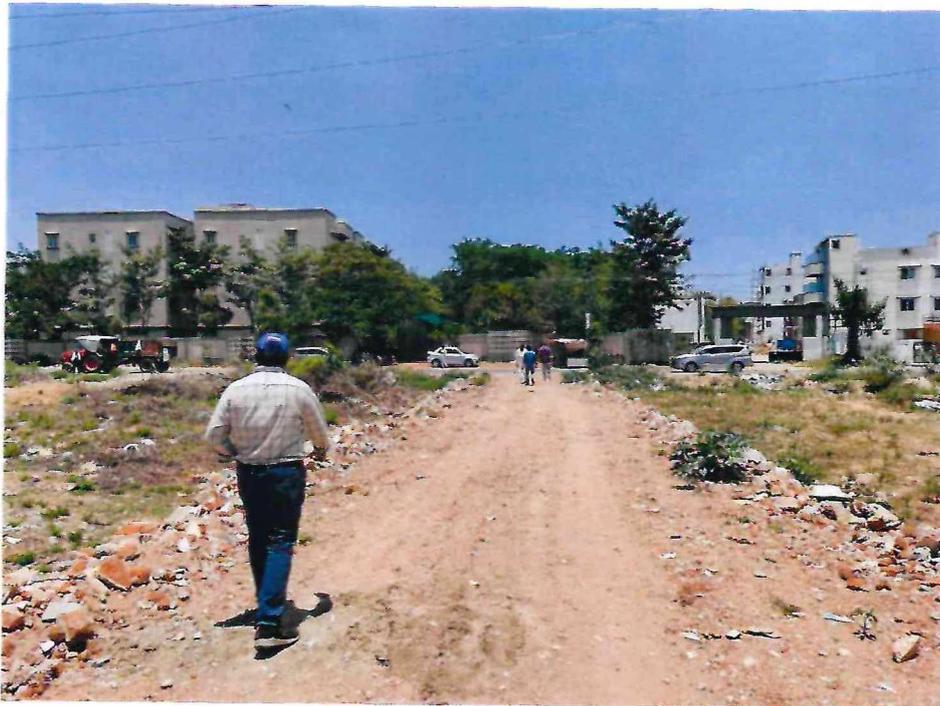
Images



General View of the Perumbakkam Site



Partially removed garbage dump within Prohibited Area



Joint Inspection with Municipal Authorities



Joint

Inspection with Municipal Authorities



Leveled Surface within Prohibited Area for Proposed Dumping Area



Pathway made with Construction Debris within Prohibited Area



In-situ Flake tool found within the Prohibited Area

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

N.Ravi & another

.....Petitioners

-vs-

Perumbakkam Panchayat

Union Office

.....Respondents

**COUNTER AFFIDAVIT BY
THE 5TH RESPONDENT
ALONG WITH ANNEXURES**

R. RAJESH VIVEKANANTHAN
DEPUTY SOLICITOR GENERAL
OF INDIA

ADVOCATE.NO.1304/1998
MADRAS HIGH COURT (PB),
CHENNAI – 600 001.

CONTACT NO. 98402 60631

**COUNSEL FOR 5TH
RESPONDENT**