

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No. 189 of 2024

THADAYAM BABU,  
S/o. Late. R. Poomalai,  
Aged about 52 years,  
No. 4/1, Thiruvalluvar Street,  
Anna Nagar (East),  
Virudhachalam – 606 001.

...Applicant

Vs

1. WATER RESOURCE DEPARTMENT,  
Public Welfare Department,  
Government of Tamil Nadu,  
Through the Chief Engineer,  
PWD Estate, Chepauk,  
Chennai – 600 005 & 3 ors.

...Respondents

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Advocate  
Thiru.S. Sai Sathya Jith,  
Advocate, Chennai.

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Government of Tamil Nadu,  
Through the Chief Engineer,  
PWD Estate, Chepauk,  
Chennai – 600 005
2. TAMIL NADU POLLUTION CONTROL BOARD,  
Through the Chairman,  
76, Mount Salai,  
Guindy, Chennai – 600 032
3. THE DISTRICT COLLECTOR, CUDDALORE DISTRICT,  
First Floor, New Collectorate Building,  
Collectorate, Manajakuppam,  
Cuddalore – 607 001
4. THE COMMISSIONER,  
Virudhachalam Municipality,  
31/16, Ayyanarkovil St, Across Manimutharu River,  
Virudhachalam – 606 001

...Respondents

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUNDY,  
CHENNAI-600 032.

**REPORT FILED ON BEHALF OF THE SECOND RESPONDENT –**  
**TAMIL NADU POLLUTION CONTROL BOARD**

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, aged about 59 years having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am authorized to file this report on behalf of the second respondent and as such I am well acquainted with the facts of the case as per the records available in office records.
2. It is respectfully submitted that the application has been filed with the prayer "to direct the respondents no.1 to 4 to revitalize and restore the Manimutharu River to its Original condition in the region of Virudhachalam, Cuddalore District by conducting proper GPS Survey, remove the sewage pipelines, desilting and removal of non-native species, remove the domestic/medical waste exist on the river bank of Manimutharu, initiate stringent action against the violators who have been continuously discharging the trade effluents as well as dumping of solid/medical waste into the river and to direct penal action and impose EC including restitution of environment on the violators including from the municipality and other prayers.
3. It is respectfully submitted that the applicant has filed a complaint 09.10.2022 and 28.04.2024 stating that illegal dumping of solid/medical waste and discharge of toxic effluent directly into the Manimutharu River at Virudhachalam.

  
 JOINT CHIEF ENVIRONMENTAL ENGINEER  
 TAMIL NADU POLLUTION CONTROL BOARD  
 No.76, MOUNT SALAI, GUINDY,  
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4. It is respectfully submitted that the above said complaints were forwarded to the 4<sup>th</sup> respondent, the Commissioner, Virudhachalam on 30.11.2022 and 21.05.2024 respectively for taking necessary action.
5. It is respectfully submitted that the Officials of TNPCB, Cuddalore inspected on 01.08.2024, Manimutharu River at various locations within the Virudhachalm Municipal Limit. The following observations were made during the inspection:
  - i. It was observed that untreated sewage was being discharged into the Manimutharu River at multiple locations within the Virudhachalam Municipal Limit.
  - ii. At present there is no water flow in the Manimutharu River and untreated sewage was found stagnated in the Manimutharu River thereby polluting the environment and also creating nuisance and health hazard to the public.
  - iii. The Municipal Commissioner, Vridhachalam Municipality has not taken effective steps to establish the Sewage Treatment Plant for the treatment and disposal of sewage generated within the Vridhachalam municipal limits.
  - iv. No Discharge of trade effluent was observed in the Manimutharu River within the Virudhachalam Municipal area.
  - v. Unsegregated municipal solid waste including plastics generated in and around Vridhachalam Municipality was found disposed into River Manimutharu thereby polluting the environment and also creating nuisance and posing ahealth hazard to the public.
  - vi. It was informed that the Solid waste dumped in the Manimutharu River is regularly set on fire.

- vii. No dumping of bio-medical waste was found in the Manimutharu River in the Virudhachalam area.
  - viii. The Municipal Commissioner, Virudhachalam Municipality has not taken effective/adequate steps to comply the Solid Waste Management Rules, 2016 and solid wastes were disposed in indiscriminate manner.
  - ix. The local body has not obtained authorization from TNPCB under the Solid Waste Management Rules, 2016 for handling of Municipal solid waste in their jurisdiction.
6. It is respectfully submitted that based on the observation made during inspection, a Show Cause notice was issued on 02.08.2024 to the 4th respondent, the Commissioner, Virudhachalam regarding the discharge of untreated sewage and improper solid waste disposal. However, as of this date, no response has been received from the 4th respondent concerning the Show Cause notice.
7. It is respectfully submitted that in light of the 4th respondent's lack of response and continued non-compliance, the Board has issued directions vide Proceedings No.T3/TNPCB/010419/SWM/NGT O.A 189 of 2024/2024, Dated:02.01.2025 under Water (P&CP) Act 1974, as amended for the illegal discharge of untreated sewage and under Section 5 of the Environment (Protection) Act, 1986 for noncompliance of the Solid Waste Management Rule, 2016 to the Commissioner, Virudhachalam Municipality

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

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

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

### VERIFICATION

I, K.Nalini, Daughter of Thiru.K.Krishnasamy, working as Joint Chief Environmental Engineer, TNPCB, having office at No.76, Mount Salai, Guindy, Chennai 600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records.

  
JOINT CHIEF ENVIRONMENTAL ENGINEER  
TAMIL NADU POLLUTION CONTROL BOARD  
No.76, MOUNT SALAI, GUINDY,  
CHENNAI-600 032.

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**REPORT FILED ON BEHALF OF THE  
SECOND RESPONDENT – TAMIL NADU  
POLLUTION CONTROL BOARD**

**Advocate for Respondent: TNPCB  
Thiru.Sai Sathya Jith,  
Advocate, Chennai.**

**Date:23.01.2025**

**Date of Hearing on:01.04.2025**