

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

APPLICATION NO.220 of 2024 (SZ)

IN THE MATTER BETWEEN

N. RAVICHANDRAN,

...PETITIONER

-VS-

1. DISTRICT COLLECTOR, AND 2 OTHERS

...RESPONDENT

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K.M.VIJAYAN ASSOCIATES

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BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONE
AT CHENNAI

Application No.220 of 2024 (SZ)

N. Ravichandran,
8/5, Vadakku Theru,
Pillaiyar Koil Street, Mel Nangur,
Kathiruppu Post, Sirkazhi Taluk,
Mayiladuthurai District - 609106
Email: yogeshwaranadv@gmail.com
Ph: 9566254546.

...Applicant

-Vs-

1. District Collector,
District Collectorate,
Mayiladuthurai - 609001
Email: collr-myd@nic.in
Ph: 9443300955.
2. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
District Collectorate, Master Plan Complex
Nagapattinam - 611001
Email: deenpm@tnpcb.gov.in
Ph: 04365221832
3. P Monisha,
Proprietrix, M/s. Monisha Associates
8/38, Pillaiyar Koil Street, Nangur Village,
Kathiruppu Post Sirkazhi Taluk,
Mayiladuthurai District – 609106,
Email: Unknown
Ph: Unknown.

...Respondents

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Corrn:

Handwritten signature: P. Monisha
S. RAJADURAI, M.A., B.L.,
ADVOCATE & NOTARY PUBLIC,
MAYILADUTHURAI-609 001,
Mayiladuthurai District,
TAMILNADU, INDIA
Cell: 94436 16937.

For MONISHA ASSOCIATES
Handwritten signature: P. Monisha
Proprietor

COUNTER AFFIDAVIT FILED BY THE 3RD RESPONDENT

I, P. Monisha, W/o.N. Palanivel, aged about years, residing at No.8/38, Pillaiyar Koil Street, Nangur Village, Kathiruppu Post, Sirkazhi Taluk, Mayiladuthurai District – 609106, do hereby solemnly affirms and sincerely states as follows,

1. I am the proprietor of the 3rd respondent firm and I am filing this counter affidavit as such I am well acquainted with the facts and circumstance of the case stated hereunder.
2. The third respondent denies all allegations made in the application, except those specifically admitted herein.
3. The petitioner has filed the present application under Sections 14 and 15 read with Section 18(1) of the National Green Tribunal Act, 2010, seeking a direction to close the hot mix plant operated by the third respondent located at S. No. 324/2, etc., No. 83, Pillaiyar Koil Street, Nangur Village, Kathiruppu Post, Sirkazhi Taluk, Mayiladuthurai District. The petitioner alleges that the third respondent is operating the plant without the necessary permissions from the competent authorities and in violation of the guidelines issued by the Tamil Nadu Pollution Control Board (TNPCB). These allegations are baseless, false, and made without verification upon the 3rd respondent.
4. The third respondent categorically denies the allegation that the hot mix plant is operating in contravention of the TNPCB's guidelines dated 29.07.2016. In

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Supriya
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For MONISHA ASSOCIATES

P. Monisha
Proprietor

the year 2023, the third respondent duly paid the requisite fee and applied for consent to establish under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, and Sections 25 and 26 of the Water (Prevention and Control of Pollution) Act, 1974. After proper inspection, the TNPCB granted the *Consent for Establishment* in favour of the third respondent. The said consent order has been filed by the petitioner himself as Annexure A5.

5. The third respondent further submits that the third respondent has obtained *Consent to Operate* from the TNPCB, vide proceedings No. F.1593NPM/OS/DEE/TNPCB/NPM/W/2023 dated 09.10.2023, under Consent Order No. 2304154595369. The same is also publicly available on the TNPCB's official website. The third respondent has complied with all requisite guidelines and standards prescribed by the TNPCB and accordingly obtained the order of Consent to Operate. The petitioner, without conducting any verification, has filed the present application based on false and imaginary allegations, solely with an intent to harass the third respondent.
6. The allegation that the hot mix plant is situated within 300 meters of a residential area is vehemently denied. It is pertinent to note that there are no houses, residential layouts, or approved layouts within the minimum distance prescribed by the TNPCB. The Tahsildar, Sirkazhi, through his proceedings in O.Mu.5596/2023/AA1 dated 22.09.2023, certified that no residential units exist in the vicinity of the plant. Additionally, the Block Development Officer, Sirkazhi, through his proceedings in Na.Ka.No.2038/2019/AA2 dated

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Corrn:

Supriya 12/06
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For MONISHA ASSOCIATES

P. Monisha

Proprietor

22.10.2023, certified that there are no houses, approved layouts, temples, or Government buildings within a 500-meter radius of the plant.

7. The Assistant Divisional Engineer, Highways Department (Construction and Maintenance), Sirkazhi, has also certified that the plant is located 320 meters away from the National Highway. The petitioner has filed the present complaint without verification, based on concocted and false allegations.
8. The third respondent denies the allegations that the hot mix plant is causing severe dust and air pollution or that wastewater is being discharged improperly. The plant operates in accordance with TNPCB guidelines. The emissions and discharges are within the permissible limits. The TNPCB's consent conditions, annexed as Annexure A5, clearly stipulate that wastewater shall be disposed of within the premises itself. The petitioner's claims contradict the very documents submitted by him and are hence without basis.
9. The third respondent reiterates that it is operating the hot mix plant in full compliance with the TNPCB guidelines dated 29.07.2016. All necessary certificates and approvals were obtained from the concerned authorities prior to the commencement of operations.

10. The petitioner alleges that multiple representations were made to the TNPCB but has failed to file even a single copy of such representation or provide any dates or proof before this Hon'ble Tribunal to substantiate the same.

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Corrn:

Supd 24/10/2026
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For MONISHA ASSOCIATES

P. Monisha
Proprietor

11. At any event, the present application filed by the petitioner is devoid of merit and based on vague, false, and unverified allegations. The same deserves to be dismissed in limine, as the petitioner has failed to produce any credible or material evidence to support his claims.

12. The third respondent craves leave of the Hon'ble Tribunal to permit to file additional counter affidavit, if any, after the perusal of the counter statements to be filed by the remaining respondents.

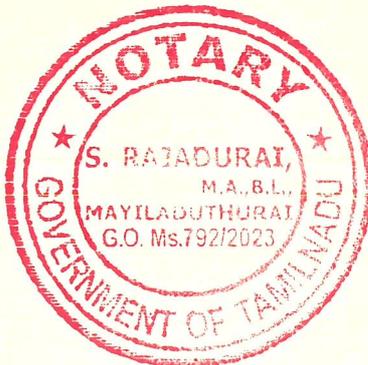
It is therefore prayed before this Hon'ble Tribunal may be pleased to dismiss the Application No.220 of 2024 (SZ) with exemplary cost and thus render justice.

For MONISHA ASSOCIATES
P. Monisha
DEPONENT Proprietor

VERIFICATION

I, P. Monisha, W/o.N. Palanivel, the above-named deponent, verify that the contents of this affidavit are true to the best of my knowledge and nothing material has been concealed therefrom.

Verified at Mayiladuthurai on this *24th* day of April 2025



Sup: 24/4/2025
S. RAJADURAI, M.A., B.L.,
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For MONISHA ASSOCIATES
P. Monisha
DEPONENT Proprietor