

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 310 of 2024 (SZ)

In the matter of:

I.H. Sekar,
Chennai.

... Applicant(s)

Versus

Tamil Nadu Pollution Control Board,
Rep. by its District Environmental Engineer,
Chennai and Ors.

...Respondent(s)

REPORT FILED BY 3RD RESPONDENT-
THE DISTRICT COLLECTOR, CHENNAI

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Through

Dr. D. Shanmuganathan

Standing Counsel for Government of Tamil Nadu

National Green Tribunal

Southern Zone, Chennai

DATE : 04.07.2025

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
SITTING AT CHENNAI
Memorandum of Application
(Under Section 18(1) read with Section 14(1) of the National Green Tribunal
act, 2010)
Application No. 310 of 2024

I.H. Sekar,
No.20, Dr. Nanjunda Rao Road,
Injambakkam, Chennai-600115
Email address: naturetrust2009@gmail.com
Cell No.: 9941277490

..Applicant

Vs.

1. Tamil Nadu Pollution Control Board,
Rep. by it's the District Environmental Engineer,
1st Floor, 6/1, Sree Jothi Valagam,
Murugesan Street, Balavinayagar Nagar,
Arumbakkam, Chennai-600106
Ph: 044-22200790
Email: rtisec@tnpch.gov.in
2. Municipal Administration and Water Supply Department,
Rep. by its Principal Secretary,
Secretariat, Chennai-600009
Ph. No. 044-25665566
Email: mawssec@tn.gov.in
3. The District Collector,
Chennai District,
Chennai Collectorate,
Singaravelar Maaligai,
Chennai-600001
Ph: 9444131000
Email: collrchn@nic.in
4. Chennai Metropolitan Water Supply and Sewerage Board,
Rep. by its Managing Director,
1, Pumping Station Road,
Chintadripet, Chennai-600002
Ph: 044-28459000
Email: md@cmwssb.in
5. VVV Construction Private Limited,
Rep. by its Managing Director,
1074, Munuswamy Salai,
KK Nagar, Chennai-78
Ph: Not known
Email: Not known

..Respondents

STATUS REPORT FILED BY THE THIRD RESPONDENT

I, Rashmi Siddharth Zagade, I.A.S., wife of Thiru. Siddharth Hindu, aged about 44 years, discharging the duties as the District Collector, Chennai District, having office at Chennai Collectorate, Singaravelan Maligai, Rajaji Salai, Chennai -600 001, do hereby solemnly affirm and sincerely states as follows:

2. I humbly submit that the applicant has filed this application under Section 18(1) read with Section 14(1) of the National Green Tribunal, Act, 2020, for the following relief:

a) Direct the 1st and 3rd Respondents to demolish the illegal construction of the sewage collection well at Survey no.14, Injambakkam Village, Chennai District and restore the area to its original condition.

b) Direct the 1st to 3rd Respondents to take action against the 4th Respondent for violation of Sections 24 and 25 of the Water (Prevention and Control of Pollution) Act, 1974

c) Issue such other orders as it deems fit in the interest of the case and render Justice.

3. It is alleged that the 4th Respondent is doing unauthorised construction of a sewage collection well at Survey No.14 of Injambakkam Village, Chennai through the 5th Respondent without obtaining consent for such establishment from the 1st Respondent herein, and in violation of siting criteria for sewage collection wells, the Applicant has filed this Application with the aforesaid prayer.

4. It is the case of the applicant that the sewage collection well is being built next to a drinking water well that has been used for over 20 years and is also located to a 46 year old cyclone shelter which also serves as a

community Hall. From the information Board erected at the site, the Applicant came to know that the said construction is being carried out to provide a comprehensive underground sewerage system to Injambakkam Village, situated in Division No.194 of Greater Chennai Corporation.

5. I respectfully submit that at the initial stage of the said construction, the Applicant has submitted a representation on 12.06.2024 followed by another representation dated 25.06.2024 with a request to stop the construction. Representation submitted to the District Collector dated 25.09.2024 was forwarded to the CMWSSB by the District Collector.

6. I respectfully submit that in response to the said references, the CMWSSB has sent a reply dated 15.11.2024 to the Applicant stating that there would be no contamination of ground water.

7. I respectfully submit that alleging that the said construction is carried out in contrary to Section 25 of the Water (Prevention and Control of Pollution) Act, 1974, Section 24 of the Water Act, 1974, and violating Rule 54(3)(b)(ii) of the Tamil Nadu combined Development and Buildings Rules, 2019, (TNCDB Rules) the Applicant has filed this Application with the aforesaid prayers.

8. With regard to grounds (A) to (E), it is respectfully submitted that the Tahsildar, Sholinganallur Taluk who inspected the said site has reported that the said sewage collection well is under construction in S.No.14/3 of Injambakkam Village which stands classified as Government-Poromboke-Grazing Ground. The said land is part and parcel of the total extent of 1.78 Hectares of land comprised in S.No.14 of Injambakkam

Village. As per the "A" Register for Injambakkam Village, the said land is having four sub-divisions as detailed below:

Sl.No.	Survey Number	Extent Hec.Ares.Sq.mts.	Classification	Remarks
1	14/1	00 03 50.0	Government Poromboke	Grazing Ground
2	14/2	00 25 50.0	Government Poromboke	High Road
3	14/3	01 41 00.0	Government Poromboke	Grazing Ground Well
4	14/4	01 08 00.0	Government Poromboke	Grazing Ground
	TOTAL	01 78 00.0		

Out of the aforesaid land parcels, the land measuring 3.5 Ares comprised in S.No.14/1 was acquired for widening of Road. Besides this, the land measuring 25.50 Ares comprised in S.No.14/2 was also acquired by the Highways Department for Road purpose. The land measuring 08.0 Ares comprised in S.No.14/4 is alienated to Chennai East Lion's Club and under utilisation as Medical centre.

The Two sewage collection well are being constructed in S.No.14/3 of Injambakkam Village. The Rehabilitation centre during cyclone is situated nearby the said sewage collection well. The said Rehabilitation centre is at present functioning as a primary school. On the southern side of this sewage collection well a drinking water well is situated. The four side boundaries of the Pumping Station are as follows:

North by	Place allotted for parking of garbage cleaning vehicles
South by	Drinking water Well
East by	Hari Chandra Road
West by	Office of the Village Administrative officer, Cyclone Rehabilitation centre, Corporation primary School, Pumping Station and Medical Centre run by Lion's Club

The Filed Surveyor of the office of the Tahsildar has prepared a sketch which is submitted along with this report.

The location of the sewage collection well are more particularly described in Grey colour in the sketch Submitted herewith. Besides this, the other portions of the land and its utilisation are more particularly described in the sketch submitted herewith.

In the said circumstances, it is submitted that the said grounds are relating to the Respondents 1, 2, 4 and 5 herein. It is also submitted that the Applicant has not challenged any of the orders passed by the 3rd Respondent. A copy of the representation submitted to the third Respondent had already been forwarded to the CMWSSB for necessary further action at their end. However, the Counter affidavit if any filed by the Respondents 1, 2, 4 and 5 shall be read as part and parcel of this Counter Affidavit.

9. In the said circumstances, it is most humbly submitted that the it may be ordered to remove the 3rd Respondent from the cause title and render Justice.

Solemnly affirmed at Chennai on

This the 23rd day of April 2025 and

Signed his name in my presence

Rashmi S Zagade
 COLLECTOR OF CHENNAI
 District Collector, Chennai
 CHENNAI-600 001

[Signature]
 DISTRICT REVENUE OFFICER
 CHENNAI DISTRICT
 CHENNAI-01.

