

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN BENCH, AT CHENNAI
Original Application No. 32 of -2023**

Meenava Thanthai K.R.Selvaraj Kumar
Meenavar Nala Sangam,
Royapuram, Chennai-600 013.

...Applicant

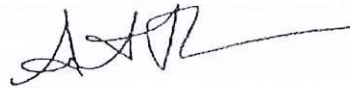
V/s

**TAMIL NADU STATE COASTAL
ZONE MANGEMENT AUTHORITY,**
Through the Chairman,
Ground Floor, Panagal Maligai,
No.1 Jeenis Road, Saidapet,
Chennai - 600 015 7 Ors.

....Respondents,

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

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN BENCH, CHENNAI**

O.A. No. 32 of 2023

**MEENAVA THANTHAI K.R.SELVARAJ KUMAR
MEENAVAR NALA SANGAM,**

(Registered under section 10 of the Tamil
Nadu Societies Act, in SL.No. 205 of 2015
dated 26.06.2015)

Represented by its President,

M.R.Thiyagarajan,

S/o. Late C. Rajalingam,

Office at No.48, Eat Madha Church Street,
Royapuram, Chennai-600 013.

Ph.9841590984, krtkarjun@gmail.com.

...APPLICANT

Vs

**1. TAMIL NADU STATE COASTAL
ZONE MANGEMENT AUTHORITY,**

Through the Chairman,

Ground Floor, PanagalMaligai,

No.1 Jeenis Road, Saidapet, Chennai - 600 015,

Tamil Nadu. 044-24336421

tndoe@tn.nic.in.

2. TAMIL NADU POLLUTION CONTROL BOARD,

Through the Chairman,

No.76, Anna Salai,

Guindy, Chennai - 600 032.

Tel: 044-22353134 - 139

Email-ID: tnpcb-chn@gov.in.

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

3. THE COMMISSIONER,

Corporation of Greater Chennai,
Ripon Buildings,
Chennai – 600 003.

044-25619200, commissioner@chennaicorporation.gov.in.

4. THE DISTRICT COLLECTOR, CHENNAI,

Rajai Salai, Fourth Floor, 62, Beach Road
George Town, Chennai - 600 001.

044-25228025, collrchn@nic.in.

5. M/S. BEST DHALL MILLS,

782/2, Thiruvottiyur High Road,
Tondiarpet, Chennai - 600 081.

..... RESPONDENTS

**REPORT FILED ON BEHALF OF THE SECOND RESPONDENT-
CHAIRMAN, TAMIL NADU POLLUTION CONTROL BOARD.**

I, R. Sarasavani, D/o. J. Raghavan, aged about 59 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 600 032, do hereby solemnly affirm and sincerely state as follows:-

2. I submit that I am working as the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai - 600 032 and I am authorized to file this report on behalf of the second respondent- Chairman, TNPCB and as such I am well acquainted with the facts of the case from the records available in our office.
3. It is respectfully submitted that the application has been filed by the applicant with the following prayer-

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

- I. *To Direct the Respondent No.1 to initiate stringent action against the Respondent No.5 for the establishment of prohibited activity at Survey No.4052, Door No. 782/2, Thiruvottiyur High Road, Tondiarpet, Chennai- 600008 in violation of CRZ Notification.*
- II. *To Direct the Respondent No.1 to demolish the illegal and unauthorized structures erected by the Respondent No.5 without obtaining the CRZ Clearance.*
- III. *To direct the Respondent No.2 to close down the unit of Respondent No.5 for causing pollution and functioning without adopting the proper pollution control equipment, in accordance with law and on its own merit and*
- IV. *To issue direction to the Respondents Nos.2 and 3 to initiate appropriate actions against the Respondent No.5, for the operation of the unit without obtaining the consent from the Pollution Control Board by affecting the environment of the Primary Residential Zone.*
- V. *Direct Respondent Nos. 1 to 4 to impose Environmental Compensation on Respondent No.5 including restitution of impugned site under Sec.15 of the National Green Tribunal, Act, 2010.*

4. It is respectfully submitted that the 5th Respondent unit, M/s. Best Dhall Mill, No.782/2, T.H.Road, Tondiarpet Village, Tondiarpet Taluk, Chennai District – 600 081 filed an application for obtaining CTO-Direct from the 2nd Respondent-TNPCB vide application ID.

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No.54164981 dated: 23.07.2023 for processing Toor Raw, Yellow Lentil, Orid Raw and Red Lentil (844 Tons/Month).

5. It is respectfully submitted that the 5th Respondent unit was inspected by the official of the O/o. the DEE, TNPCB, Chennai on 02.08.2023 and it was observed that the unit was under operation, processing various types of dhall without obtaining consent of the 2nd Respondent Tamil Nadu Pollution Control Board as required under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981.
6. It is respectfully submitted that vide proceeding dated 04.08.2023, Show Cause Notice was issued to the 5th respondent unit by the DEE, TNPCB, Chennai and subsequently the application for CTO-Direct was also returned to the unit by the DEE, TNPCB, Chennai on 09.08.2023 requesting to furnish certain additional particulars including copy of the CRZ Clearance obtained from the competent Authority, to examine its request for consent. The unit did not resubmit its application with the particulars as sought from them.
7. It is respectfully submitted that the 5th Respondent unit has been established and commissioned in the year 2017 without obtaining Coastal Regulation Zone (CRZ) Clearance, approved building plan from CMDA and consent of the TNPCB. Hence, the reply

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JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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furnished by the unit on 03.09.2023 for the Show Cause Notice stating that it is not aware of the regulations outlined under Water (P&CP) Act, 1974 was not satisfactory.

8. It is respectfully submitted that the 5th respondent unit was again inspected by the official of the O/o. the DEE, TNPCB, Chennai on 07.08.2024 and it was observed that the unit was under operation without obtaining CRZ Clearance and consent of the TNPCB. Hence, vide proceeding dated 04.09.2024, direction for closure and disconnection of power supply was issued to the unit by the TNPCB under Section 33A of the Water (P&CP) Act, 1974 and Section 31A of the Air (P&CP) Act, 1981. Accordingly, power supply of the unit was disconnected by the TANGEDCO on 06.09.2024 and hence, at present the unit is not under operation.
9. It is further submitted that the 5th respondent unit filed a Writ Petition in W.P No.28335 of 2024 before the Hon'ble High Court of Madras with the prayer "to issue a writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI calling for the records on the file of the 1st and 2nd respondents (TNPCB) in Proceeding No. TNPCB / T1 / F.006053 / Closure / Water / 2024-1 dated 04.09.2024 issued under Section 33A of Water (Prevention and Control of Pollution) Act, 1974 and Proceeding No. TNPCB / T1 / F.006053 / Closure / Air / 2024-3, dated 04.09.2024, issued under Section 31A of Air (Prevention and

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Control of Pollution) Act, 1981 and to quash the same". It is further submitted that the Counter Affidavit of the Board has been filed on 14.10.2024 and the Writ Petition has been adjourned for two weeks on 15.10.2024.

Therefore, it is prayed that this Hon'ble Tribunal may be pleased to pass an appropriate order or further other orders as it may deem fit and proper in the circumstances of the case and thus render justice.

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18/10/24

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

VERIFICATION

I, R. Sarasavani, D/o. J. Raghavan, working as the Joint Chief Environmental Engineer, TNPCB having office at No. 76, Mount Salai, Guindy, Chennai - 600 032, do hereby submit that the above contents are true to the best of my knowledge and belief through records.

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

BEFORE THE HON'BLE
NATIONAL GREEN TRIBUNAL,
SOUTHERN BENCH, AT
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Original Application No. 32 of -2023

Meenava Thanthai K.P.Selvaraj
Kumar Meenavar Nala Sangam,
Royapuram Chennai-600 013.

...Applicant

Vs

Tamil Nadu State Coastal Zone
Management Authority,
Ground Floor, Panagal Maligai,
No.1 Jeenis Road, Saidapet,
Chennai - 600 015 7 Ors.

....Respondents,

REPORT FILED ON BEHALF OF
THE SECOND RESPONDENT-
TAMIL NADU POLLUTION
CONTROL BOARD.

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

Date: 18.10.2024

Date of hearing on:21.10.2024

