

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

Original Application No. 34 of 2026

PALANIMATHARI, C/o. Pazhani,
Residing at 48, Bharathidhasan theru,
Sankaramanallur, Komaralingam,
Tiruppur – 642 204.

.....Applicant

-Vs-

Tamil Nadu Pollution control Board
No. 76, Anna Salai, Guindy,
Chennai – 600 032.

... Respondent

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

Report submitted on behalf of the 3rd Respondent - Tamil Nadu Pollution Control Board, (TNPCB) in Original Application No. 34 of 2026, filed by Mr. Palanimathari before the Hon'ble National Green Tribunal, SZ.

On 23.03.2026, the Hon'ble National Green Tribunal, (SZ), Chennai has directed the respondents to file their respective replies/reports. To comply the Hon'ble Tribunal's Order, the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai, S. Indira Gandhi, Daughter of Thiru. D/o. Thiru.Soundararajan, having office at No.76, Mount Salai, Guindy, Chennai-600 032, submits the report on behalf of the 3rd respondent herein.

A. The Applicant has filed OA No. 34 of 2026 before this Hon'ble National Green Tribunal (SZ), Chennai with the following prayers:

- i) To direct the respondents to remove the alleged illegal construction of the culvert/bridge situated in S.F. No. 49, Muthukulam Canal, Palani Taluk, Dindigul District, which, according to the applicant, is being undertaken without any hydrological assessment, without obtaining permission from the Tamil Nadu Pollution Control Board, and without obtaining the requisite statutory approvals from the Government of Tamil Nadu.
- ii) To restore the natural canal alignment to its original condition by removing all obstructions and ensuring free flow of water to downstream agricultural lands.
- iii) To impose appropriate environmental compensation upon the erring respondents for the alleged unauthorized alteration and obstruction of the canal system without hydrological approval, for violation of the Water (Prevention and Control of Pollution) Act, 1974, and for causing direct and consequential loss to the applicant's agricultural

land, livelihood, and irrigation rights; and to direct payment of compensation for the losses suffered.

- iv) To fix accountability on the official respondents who have allegedly neglected their statutory duties and ignored the violations despite multiple complaints raised by the applicant.

B. Earlier, a W.P. MD. No. 2743 of 2023 has been filed by Thiru. P.Pethan @ Palanisamy before the Hon'ble High Court of Madras, Madurai Bench with the following prayer:

“To issue a Writ of Mandamus directing the respondents 1 to 4 to provide alternative agricultural land in lieu of displacement of the petitioner from the extent of 0.35 cents comprised in S.F. No. 49, Rettiam padi Village, Palani Taluk, Dindigul District.”

C. On 10.02.2023, the Hon'ble High Court of Madras, Madurai Bench has “disposed of” the Writ Petition inter alia are as follows::

“Para 2: The petitioner belongs to Scheduled Caste Community and has been in possession of 0.35 cents of vacant land, which has been classified as Government Poramboke land, comprised in S.F. No. 49 of Rettiam padi Village, Palani Taluk, Dindigul District.”

“Para 4: Considering the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the representation of the petitioner dated 03.01.2023 and pass orders in accordance with law, as early as possible.”

D. As per the order's of the Hon'ble High Court of Madras, Madurai Bench, the alleged site has been classified as Government Poramboke land. Further,

the Hon'ble High Court has not issued any specific directions to the Tamil Nadu Pollution Control Board. Further, as per Tamilnadu Pollution Control Board Proceedings Ms. No. 6 dated 02.08.2016, construction of a culvert is not listed/classified under the categorization of industries and not brought under the purview of the Tamilnadu Pollution Control Board consent mechanism and has not been classified under the Red, Orange, Green or White categories.

E. Based on the Original Application, the alleged site of the culvert is located at Rettiam padi Village, Palani Taluk, Dindigul District, was inspected by Tamilnadu Pollution Control Board officials on 28.04.2026, and the following observations were made:

- 1) A culvert has been constructed across the Muthukulam Supply Channel originating from the Kuthiraiyaru River, connecting Rettiam padi Village, Palani Taluk, Dindigul District and Athoor/Sangaramanallur South Village, Madathukulam Taluk, Tiruppur District.
- 2) A display board placed near the culvert indicates that the project pertains to the construction of a culvert across the 400 m length of the Muthukulam Supply Channel in Athoor Village, Madathukulam Taluk, Tiruppur District, at an estimated cost of Rs. 20 lakhs under the Rural Development Scheme by Thiru C. Mahendran, MLA.
- 3) In this regard, the Executive Engineer, Water Resources Department, Nanganjiyar Basin Division, Palani, Dindigul District, was requested by DEE, Dindigul vide letter dated 30.04.2026 (**Annexure-I**) to furnish a detailed report as to whether the culvert has been constructed/established at the above said location and, if

so, to furnish the present status of the project along with relevant details.

4) The Reply was received by the Water Resources Department, Nanganjiyar Basin Division, Palani, Dindigul District dt: 07.05.2026 **(Annexure-II)** to DEE, Dindigul letter dated 30.04.2026 that

- a. No, the culvert was actually constructed in Survey No. 473/1 of Sangaramanallore South Village, Madathukulam Taluk, Tiruppur District. The construction of the culvert commenced on 02.02.2023 and was duly completed on 16.04.2023.
- b. As the culvert is constructed by the Water Resources Department, the District Collector, Tiruppur vide Na.Ka.No.32/2022/A6, Dated 07.07.2022 administrative sanction accorded for Construction of culvert at an estimated cost of Rs.20.00 Lakhs under the Madathukulam Legislative Assembly Constituency Development Fund for the year 2021-22.
- c. Now, due to the construction of this culvert, it is being used by farmers, the public, and departmental staff, crucially reducing the travel distance between Sangaramanallore South and Pappampatti village by 9 km. A letter of appreciation from the Water User Association, local public, and the necessary revenue documents are enclosed.

F. Apart from other averments and allegations made in the entire application, the contentions made by the applicant in Para VII (7) highlighting section 2(j) and 24 of Water (Prevention and Control Act), 1974 and insisting the answering respondent to act on the violators cannot be sustained both in law

and in facts. A plain reading of the quoted section clearly states that no persons shall be permitted to pollute the water body and unfortunately the case on hand does not involve pollution but only construction of the culvert. The applicant contentions in Para VII (8) that the project proponent has failed to obtained the Consent from Tamilnadu Pollution Control Board is an irrelevant statement made on ignorance and the same liable to be dismissed. There is no Consent To Establish (CTE) or Consent To Operate (CTO) is required from the Tamilnadu Pollution Control Board for constructing culvert as per Tamilnadu Pollution Control Board proceedings Ms. No. 6 dated 02.08.2026.

G. In response to Para 7 (23), the applicant has failed to construe the facts that any alterations or constructions carried out in water body leading to aggravated pollution will be taken cognizance by the answering respondent and the applicant cannot make allegations and interpret the sections to suit his own stories.

GROUND:

- 1) In response to paragraph (C) No consent is necessary for construction of culvert and the contentions made the applicant insisting for Consent is irrelevant and unnecessary.
- 2) In response to paragraph (H) the applicants contentions that Tamilnadu Pollution Control Board has failed to act to the obstruction caused to a flowing canal is not within the ambit of the Tamilnadu Pollution Control Board.
- 3) In response to paragraph (A), (B), (D), (E), (F), (G), (I), (J) and (K) it invokes no response from the answering respondent and put the appellant to strict proof of the same.

This report is submitted to the Hon'ble National Green Tribunal (Southern Zone) in compliance of the directions passed by the Hon'ble Tribunal, the TAMIL NADU POLLUTION CONTROL BOARD (TNPCB) will abide by all such directions, as the Hon'ble Tribunal may deem fit and appropriate.

Dated at Chennai, on this the 12th day of June, 2026.

shudy-12/6/26
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMILNADU POLLUTION CONTROL BOARD
76, MOUNT SALAI, CHENNAI-600 032.

Plastic Pollution
Free Tamilnadu

TAMIL NADU POLLUTION CONTROL BOARD



From
Dr.P.Ramesh,M.Tech.Ph.D.,
District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Collector Office Campus,
Dindigul-624 004.

To
The Executive Engineer,
Water Resource Department,
Nanganjiyar Basin Division,
Palani,
Dindigul District.

Letter No. DEE/TNPCB/DGL/O.A No.34 of 2026/ Dated: 30.04.2026.

Sir/Madam,

Sub: Tamilnadu Pollution Control Board – Dindigul – Original Application No.34 of 2026–Construction of culvert across the Muthukulam Canal at S.F No.49, Reddiyampadi village, Palani Taluk, Dindigul District–Report called for-Reg.

Ref: 1. Original Application No.34 of 2026 filed by Thiru.Palanimathari before the Hon'ble National Green Tribunal (SZ), Chennai.

2. T.o Lr.No.3545, 3669/DEE/TNPCB/DGL/RTIA/2025 Dated:10.12.2025

I invite your kind attention to the reference cited above, wherein one petitioner namely Thiru.Palanimathari has filed a Original Application No.34 of 2026 before the Hon'ble National Green Tribunal (SZ), Chennai regarding the matter of Construction of culvert across the Muthukulam Canal at S.F No.49, Reddiyampadi village, Palani Taluk, Dindigul District.

In this regard, it is informed that Tamil Nadu Pollution Control Board has not issued consent for the construction of culvert across the Muthukulam Canal at the aforesaid location and the same was communicated to the petitioner vide reference 2nd cited.

In this connection, you are requested to furnish a report on the following remarks, so as to submit a report before the Hon'ble National Green Tribunal (SZ), Chennai:

1. Whether the culvert has been constructed/established at the above said location.
2. If so, detailed report along with present status of project may be furnished to this office at earliest.


District Environmental Engineer,
Tamilnadu Pollution Control Board,

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

Original Application No. 34 of 2026 (SZ)

PALANIMATHARI, C/o. Pazhani,
Residing at 48, Bharathidhasan theru,
Sankaramanallur, Komaralingam,
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Vs

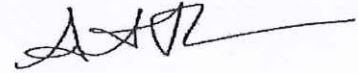
Tamil Nadu Pollution Control Board
Chennai

...Respondents

**Report submitted by the Third Respondent -
TAMIL NADU POLLUTION CONTROL
BOARD**

Date of filing : 12.06.2026

Date of hearing : 15.06.2026



Thiru.S.Sai Sathya Jith,
Advocate for 1st Respondent: TNPCB.