

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE, CHENNAI**  
**ORIGINAL APPLICATION NO.04 of 2022 (SZ)**

Jaganathasamy,  
s/o.Palanigounder,  
No.959, Narasingapuram,  
Krishnapuram post,  
Madathukulam Taluk,  
Tiruppur District.

...Applicant

Versus

The Member Secretary,  
Tamil Nadu Pollution Control Board,  
Chennai and others.

...Respondents

**REPLY FILED BY THE 8<sup>th</sup> RESPONDENT TO AFFIDAVIT OF THE**  
**APPLICANT DATED 12.12.2024**

- 1.** At the outset, the 8<sup>th</sup> Respondent categorically denies all the allegations made by the Applicant against them, alleging that the 8<sup>th</sup> Respondent is exceeding the permissible limits for rock crushing as stipulated in the consent order of the Pollution Control Board (PCB) and causing pollution through transportation activities.
- 2.** The 8<sup>th</sup> Respondent humbly submits that the claims of the Applicant are baseless, devoid of any credible evidence, and appear to have been made with malicious intent to tarnish my reputation and disrupt my lawful business operations.
- 3.** The Applicant has relied on a video to substantiate their allegations. However, the said video does not show any conclusive evidence to support the claim that the 8<sup>th</sup> Respondent is involved in transporting

crushed rocks in excess of the stipulated limits. The trucks shown in the video are fully covered, and no inference can be drawn about their contents. The mere presence of covered trucks entering or leaving my premises cannot substantiate the Applicant's allegations.

- 4.** The Applicant's claim that this Respondent transported 3900 tons in 15 days, exceeding the permitted 1200 tons per month, is an exaggerated and baseless assertion. The Applicant has intentionally manipulated the interpretation of the footage and misrepresented facts to support their false narrative. It is relevant here to point out that initially at the time of filing this application, the Applicant alleged that the 8<sup>th</sup> Respondent is crushing around 2400 tons a day and now, the Applicant changed his stance from 2400 tons a day to 3900 tons in 15 days. The manner in which the Applicant is making inconsistent allegations would go to show that he has only filed this Application with a sole motive to harass this Respondent without by making false allegations.
- 5.** The Applicant has intentionally misrepresented the dimensions and capacity of the trucks to create a false narrative. The exaggerated claims about truck sizes and capacities are entirely unfounded and have been made to mislead this Hon'ble Court. It is pertinent here to mention that there is no commercial vehicle in the market which has a capacity at 18 cu.m. This in itself would go to show the malafide intention of the Applicant. This Respondent is using tipper trucks of capacity 10 cu.m. or 16 cu.m. and the whole calculation made by the Applicant is nothing but false.
- 6.** It is pertinent to note that the trucks entering and leaving this Respondent's premises were engaged in transporting raw materials and by-products purchased from external vendors for legitimate business operations. These activities are entirely lawful and within the scope of the consent order issued by the PCB.

- 7.** The CCTV footage and the extracted details submitted by the Applicant lack credibility and fail to demonstrate any violation on the Respondent's part. The details provided neither establish the contents of the trucks nor confirm the alleged tonnage. The video merely shows trucks coming and leaving the unit, which is a routine and lawful activity.
- 8.** This Respondent humbly submits that they have implemented all necessary measures to ensure environmental compliance, including covering of trucks during transportation to prevent spillage or dust pollution, as evident in the video relied upon by the Applicant. This Respondent has been operating the business strictly in accordance with the conditions stipulated in the consent order of the PCB. Regular compliance checks and audits have been conducted, and no violations have been reported by the PCB or any other regulatory authority.
- 9.** This Respondent states that it has implemented all necessary measures to ensure environmental compliance, including covering of trucks during transportation to prevent spillage or dust pollution, as evident in the video relied upon by the Applicant.
- 10.** The Applicant's allegations appear to be driven by ulterior motives to disrupt the business operations and the lack of credible evidence and the reliance on exaggerated claims support this contention. The Applicant's actions amount to abuse of the process of law, and the Respondent respectfully urge this Hon'ble Court to take note of the Applicant's conduct while considering this matter.
- 11.** If the Applicant alleges that the 8<sup>th</sup> Respondent is causing pollution by transporting materials, it is pertinent to state that the Applicant herein is also transporting coco peat, which is exported, and uses heavy trucks

for the transportation of chickens and their feed. This highlights the double standards and selective allegations made by the Applicant.

- 12.** In light of the above submissions, it is humbly prayed that this Hon'ble Court be pleased to dismiss the application filed by the Applicant with exemplary costs and pass any other orders as this Hon'ble Court deems fit and proper in the interest of justice and equity.

DATED AT CHENNAI ON THIS THE 3<sup>rd</sup> DAY OF FEBRUARY, 2025



COUNSEL FOR 8<sup>th</sup> RESPONDENT