

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

Original Application No.80 of 2022 (SZ)

T.Karunapandi,
S/o.Thangaraj Nadar,
No.5/105, South Street,
Mela alarthoppu,
Sriparangusa Nallur Panchayat,
Srivaikundam Taluk,
Thoothukudi District – 628 601

...Applicant

Vs

1.District Collector,
Thoothukudi District,
Thoothukudi – 628 004

& 19 Others

...Respondents

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It is certified that the above all are the true copies of their respective originals.

Dated at Chennai this the 20th day of February 2025



Counsel for Petitioner

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

IN THE MATTER OF APPLICATION NO 80 OF 2022(SZ)

T.Karunapandi
S/o Thangaraj Nadar
No. 5/105, South Street,
Mela Alwarthoppu,
Sri parasangunallur panchayat,
Srivaikundam Taluk
Thoothukudi District- 628 601

-----Applicant

VS

1. The District Collector,
Thoothukudi District,
Tamil Nadu – 628 601
& 19 others

-----Respondents

REJOINDER SUBMISSION FILED BY THE APPLICANT

I, T. Karunapandi, S/o Thangaraj Nadar, aged about 50 years residing at 5/105 South Street, Mela Alwarthoppu, Srivaikundam Taluk, Thoothukudi District do hereby solemnly affirm and sincerely state as follows:

1. I am the applicant herein and as such I am well acquainted with the facts of the case.
2. I submit that I am belonging to Sriparangasanallur village, alwartope, srivaikundam Taluk , Thoothukudi District. There are more than 1000 families living in our village on the depending upon income from agricultural and growing of cattle. There are 20 persons operating illegal sand quarry in various SF No in the name of manufacturing bricks by destroying the agricultural activities, damage of natural resource by digging sand upto depth of 20 feet , due to such looting of sand by illegal

T. Karunapandi

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mining in our village which affected in flood of the Tamirabharani river during month of January 2021 , because our village is situated in the Tamirabharani river bank by surrounded on South river and on North canal of river within distance of less than 500 metres . So that, I have filed the above original application in the Hon'ble Tribunal, against the illegal mining persons and the government authorities. During the proceedings , this Hon'ble Tribunal was pleased to order to inspect the place of illegal quarry mining and illegal running of bricks works. The above facts also well admitted by the respondent no 1 in para 8 at page 7 of the report filed by the first respondent dated 28.02.2024.

3. I submit that during the proceedings, there are four reports filed by the respondent no 1 and 4 , among of them the report filed by the respondent no 1 dated 26.09.2023, 28.02.2024 and 09.01.2025 and another report filed by the respondent no 4 dated 27.11.2022.

4. As per as report dated 26.09.2023 is concerned , the respondent no 1 , very clearly admitted that the location have been identified where the brick earth were already quarried and transported in Sriparangasanallur village, Thoothukudi , during the physical visit made by the respondent no 8 accompanied by the Special Revenue Inspector (Mines) and Village Administrative Officer with help of Tahsildar Srivaikundam, who have visited at fifteen chambers , out of which eleven chambers illegally involved the sand mining activity in the name of running the brick chambers, on the basis of report and recommended by the respondent no 8, the Revenue Divisional Officer, Thoothukudi had levied the penalty against the quantity of Brick earth removed which tabulated in para 8 at page 7 of the report, thereafter on the basis of report by the respondent no 5 , the Sub-Collector , Thoothukudi , and Revenue Division Officer Thoothukudi had levied penalty against the Chambers who were involved in looting of sand which tabulated in para 7 at page 6 of the report , and

after that, the Sub-Collector Thoothukudi issued the show cause notice to eleven brick chambers to submit their explanation as why should not close their chamber until remittance of penalty imposed on them which tabulated in para 9 at page 8 of the report dated 26.09.2023, out of enquiry of Sub-Collector , finally he has recommended for sealing the Brick chambers who have not obtained the registration certificate from the respondent no 8 office and they have no remitted the penalty amount which imposed by the Revenue Division Officer. Accordingly, the respondent no 5 has been sealed the five brick chambers namely

1. Sun Chambers(R-5)
 2. S.J Bricks (R-14)
 3. SKS Bricks (R-12)
 4. Agni Chambers (R-9)
 5. Srinivasan (VNC Bricks) (R-)
5. As per as report of first respondent dated , 28.02.2024 , on the basis of order in imposed of penalty by the DRO Thoothukudi and The Sub-Collector, Thoothukudi , the respondent no 1 given the status about the collection of penalty amount, enquiry, and functioning in the field . The report also reveals that SJ Bricks (R 4), Sri Bricks (R-15) are not functional in recent years and the Barani Chamber (R-20) who is engaging M-sand crusher unit for which M-sand dust purchased from approved quarries and no illicit quarrying pits identified in his land . Further the report states that about the rainfall received more than 69 cm in our village on 17.12.2023 , 18.12.2023, as a result the Bricks Kilns and Chambers located in our village have been damaged by the overflow of Tamirabharani river and the village located in Tamirabharani river bank have been completely flooded , 1732 houses were damaged, more than 21,000 cattle were died , more than 10,000 hectares of crops have been damaged and also as on the

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report filed by the respondent no 1, Agni Chamber , SKS Bricks, Adithya Bricks, KPM Bricks were sealed and not functioning , all other chambers are inundated and non-functional .

6. As per as third report of respondent no 1 dated 09.01.2025 is concern, it is stated about the status of collection of amount , functioning of bricks , holding of registration which are all tabulated in para 3 page 4,5 and in para 14 at page 8, 9 and details of collection of amount which shown in tabulated in para 16 at page 10 of the report.
7. As per as report of respondent no 12 is concerned while the Authority of respondent no 12 made their visited on 12.08.2024 and the status of the fifteen Brick Kilns units are tabulated in para 3 at page 6 of the report which totally contradicted the report of respondent no 1 about the functioning of Brick Kilns without valid certificate, but the report of respondent no 12 is clearly substance with the evidence of photos attached with this rejoinder submission filed by me.
8. I submit that , the following details given below out of the report of respondent no 1 and the respondent no 12, from the details this Hon'ble Tribunal can easily finds about the contradiction among their reports as follows:

S.NO	NAME OF CHAMBER	DETAILS OF PENALTY IMPOSED	DETAILS OF PENALTY COLLECTED	STATUS OF BRICK CHAMBER AS PER REPORT OF R-1	STATUS OF BRICK CHAMBER AS PER REPORT OF R-2 (POLLUTION BOARD)
1	Sara Bricks & CKR Chamber(R-6, R-7)	Rs.3,71,968/-	NIL	The chamber has been closed vide No 353/GM1/2022 dated 11-09-2023	Operation 04/05/23 to 31.03.32

T. S. Dhanraj

2	Sun Bricks - vivekanandan (R-5)	Rs. 1,01,430/-	Rs. 1,01,430/-	Expired	Operation 14/06/23 to 31/3/33
3	S.J. Bricks (R-14)	-	-	27/12/24- expired non- functional	operating
4.	Sri Bricks Bala Ganesh (R- 15)	Rs. 2,83,500/-	Rs. 35,000/-	05.01.2026 non-functional	operating
5.	Agni Chamber Ravi Narayanan (R-9)	Rs. 1,65,68,744/-	Legal proceeding	Expired- sealed Appeal pending before the Commissioner of Geology and Mining, Chennai & The chamber has been closed vide No 353/GM1/2022 dated 11.09.2023	Operating 17/03/23- 31/03/32
6.	K.P.M. Bricks - (R-6)	Rs. 3,90,600/-	Rs. 65,000/-	05.01.26 sealed - closed The chamber has been closed vide Rc No 353/GM1/2022 dated 11.09.2023	operating
7.	SKS Bricks (R-11)	Rs. 18,90,716/-	Rs.10,000/-	Sealed expired The chamber has been closed vide Rc no 353/GM1/2022 dated 11.09.2023	operating
8.	A.A. Bricks (SKS)	-	-	Expired closed The chamber has been closed vide Rc no 353/GM1/2022 dated 11.09.2023	operating

T. B. Anand

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9.	Uma Chamber (R-10)	Rs. 13,63,480/-	Rs.40,000/-	Closed The chamber has been closed vide Rc No 353/GM1/2022 dated 11.09.2023	Operating 14/06/23 to 31.03.33
10.	ANS Chamber	-	-	Penalty not fixed Enquiry pending with Revenue Divisional Officer, Tiruchendur	Operating 4/5/23 to 31.3.27
11.	Srinivasan Chamber (R-13)	Rs. 5,95,944/-	NIL	Closed The chamber has been closed vide Rc No 353/GM1/2022 dated 11.09.2023	operating
12.	Sakthi Chamber (R-18)	Rs. 17,51,520/-	Rs.65,000/-	Closed The chamber has been closed vide Rc No 353/GM1/2022 dated 11.09.2023	Operating 4.05.23 to 31.03.27
13.	ANC Chamber (R-17)	-	-	-	Operating 4.05.23 to 31.03.27
14.	ALR Bricks (R-16)	-	-	Closed The chamber has been closed vide Rc No 353/GM1/2022 dated 11.09.2023	Operating
15.	Barani Chamber (R-10)	-	-	Registration obtained	Operating 11.03.23 to 31.03.32
16.	TPS	-	-	-	Operating 21.12.22 to 31.3.28

T. D. [Signature]

17.	Adithya Bricks	Rs. 6,14,250/-	Rs.40,000/-	Closed	-
18.	PPR Brick	Rs. 2,21,886/-	Rs.25,000/-	-	-
19.	Balaji Bricks	Rs. 1.42.884/-	Rs.25,000/-	-	-
20.	CKR Chamber	-	-	Closed	-
21.	VNC Chamber	3348-CBM	No Penalty	Expired closed	-

9. It is respectfully submitted that even after imposed the penalty amount as against the illegal mining chambers, but without paying the penalty amount, the following offenders and defaulters were getting the registration certificates from the District Collector and the A.D. of Geology and Mining of Thoothukudi which breach the order of Sub-Collector Thoothukudi. The details are given below:

No	Name of the Bricks	Penalty imposed date	Date of issuing again the Registration Certificates
1.	Uma chambers	10-08-2021	08-08-2022
2.	Sakthi Bricks	10-08-2021	11-11-2022
3.	KPM Bricks	04-11-2022	06-01-2023
4.	SRI Bricks	04-11-2022	06-01-2023
5.	Balaji Bricks	04-11-2022	06-01-2023
6.	Adithya Bricks	04-11-2022	06-01-2023
7.	P.P.R Bricks	04-11-2022	08-02-2023

10. The aforesaid Brick chambers have not been remitting the penalty amount to the concerned Revenue Authority , inspite of that , the registration certificate issued to the sealed brick chambers is total contrary to order of Sub-Collector , Thoothukudi.

obtained the Registration certificate and on misusing the such certificate, the aforesaid uma chamber owner namely Sabapathi and VNP Chambers are continuously doing their illegal sand mining operation heavily in our village by using of JCB machine. They are digging of sand at the depth of 20 feet, the photos No 11,12,13,14,15 attached with the rejoinder submission captured on 11-02-2025, 09-07-2024, 28-04-2024 which proving that they are involved the illegal sand quarry activities in the name of running the bricks by the Uma chamber (R-10) and V.N.B. Chambers .

15.It is respectfully submitted that ,The District Collector in his report filed before this Hon'ble Tribunal stated that Barani Chamber (MN & N.M.CO) (R-20) has running the M.Sand crusher Unit and not involving illicit quarry activities. Though , the respondent no 4 , Tamilnadu Pollution Control Board, Thoothukudi given status concerned order but the Barani Chamber has not hold of registration certificate to run the M-sand crusher unit. In such position the photo no 17 attached with this rejoinder submission which captured on 29.07.2024, 11.02.2025 very clearly proving that the Barani chamber (R-20) is involving illegal sand quarry by who is using the JCB Hitachi machines for digging sand depth at earth and stocked the sand for making Raw sand bricks in the name of running the M-sand crusher unit. So the collector has submitted the false report by giving false information before this Tribunal and same kindly not to be accepted.

16.The applicants submitted on the strengthen of photo wise reply for the report of respondent no 1.

(a)The photos no 1 and 2 attached with this rejoinder which taken on 09.07.2024, 11.02.2025, at the place of Sun Chamber (R-5), these photos very clearly proving that the sun chambers is functioning with

T. Babbar Singh

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full physical strength for carrying on bricks works . In this regard, the first respondent submitted the report before the Hon'ble Tribunal dated 26.09.2023 stated that on the basis of field inspection of Tahsildar , Srivaikundam , the above sun brick was sealed as closed for reason of expired Registration Certificate.

(b) The photo no 3 attached with this rejoinder submission which captured on 11-02-2025 and 29-07-2024, these photos very clearly shows that, the SJ Bricks (R-4) is functioning in the area of our village. As per report of the 1st respondent filed before the tribunal on 15-02-2024 and 28-01-2025 on the basis of the V.A.O field inspection, they have found that S.J Bricks is not functional in recent years but such the report is false and lost of its authentication, since the photo very well proving that SJ Bricks is working.

(c)The photo no 4 attached with this rejoinder submission which taken on 11-02-2025, at the field of Agni Chamber (R-9) , through which the Hon'ble Tribunal able to finds as Agni Chamber is operating Bricks works by illegal sand of mining. It is note that , as per the report of the 1st respondent before this Tribunal on 26-9-2023, 15-02-2024 and 28-01-2025 stated that the Agni Chamber has been sealed as closed in the proceeding of Sub-Collector Thoothukudi vide no 353/GM 1/2022 dated 11-09-2023 due to non-remitting the penalty amount as well as not obtaining the registration certificate which clearly proving that the report filed by the respondent without visited the field and contrary to report of respondent no 1 .

(d) The photos no 5 and 6 attached with this rejoinder submission which captured on 11.02.2025, 09.07.2024 at the field of SKS Bricks (R-11) is functioning with full physical strength by digging sand in their field too. But, as per the report of respondent no 1 filed before the Hon'ble Tribunal, on 21-09-2023, 15-02-2024 and 28-01-2025,

stating that the SKS Bricks was sealed as closed vide Sub-Collector Thoothukudi proceedings RC No 353/GM 1/2022 dated 11.09.2023 due to they are not having Registration certificate and not remitted the penalty amount but the report of respondent no 1 and the above photos very clearly proving that SKS Bricks is carrying on works for making bricks by using the sand soil digging from the field itself

(e)The photo no 7 attached with this rejoinder submission which taken on 09-07-2024 at the field of Srinivasan Bricks(R-15) very clearly showing that the above bricks is properly functioning without anybody intervention by making bricks with soil sand digging from the field itself. As per report of 1st respondent filed before this Tribunal on 15-02-2024 and 28-01-2025 stated that this Srinivasan Bricks has been closed in the proceeding of Sub-Collector Thoothukudi vide RC No 353/GM /2022 dated 11.09.2023 for not obtaining the Registration certificate, but the above photo shows that the Srinivasan Bricks in functioning and not at all closed.

(f) The annexed photo no 8 which taken on 09-07-2024 at the field of Adithya Bricks which clearly showing that the Adithya Bricks is functioning and making bricks by using the sand soil digging from the field itself. But, as per the report of the 1st respondent dated 26-09-2023, 15-02-2024 and 28-01-2025 before this Tribunal , by stating that Adithya Bricks was sealed as closed due to not having registration certificate and non remittance of penalty amount to the Revenue Authority.

(g)The photo no 9 attached with this rejoinder submission which captured on 16-03-2024 at the field of KPM bricks situated in our village, it clearly showing that the KPM Bricks actively functioning with physical powers and digging the soil of sand at the field itself and it stored huge quantity. But as per report of the 1st respondent

T. B. S. 13/03/24

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filed before this Hon'ble Tribunal on 26-09-2023, 15-02-2024, 28-01-2025 by stating that the KPM Bricks has been closed in the proceeding Sub-Collector, Thoothukudi vide RC No 253/GM 1/2022 dated 11.09.2023 due to non-remittance of penalty amount and on the other hand the report of respondent no 12 who stated that the KPM Bricks is engaging operation of Bricks works. Hence the report of respondent no 1 is false and under questionable one.

(h) The photo no 10 attached with the rejoinder submission which taken on 11-02-2025 showing that there is huge sand of soil stored in the field of Sri Bricks and carrying on bricks works from digging of sand from the field itself. This fact is substance by the report of Tamilnadu Pollution Control Board, Thoothukudi. But the report filed by the respondent no 1 before this Tribunal dated 15-02-2024, 28-01-2025 wherein stated that Sri Bricks is not functioned in recent years and also he is a defaulter in remittance of penalty amount to the Revenue Authority.

(i) The photos no 11 to 13 attached with this rejoinder submission which captured on 28-04-2024, 09-07-2024 and 11-02-2025 at the field of Uma Bricks situated in our village very clearly showing that, the Uma chamber is actively functioning by continuously operating the illegal sand quarry and is heavily digging the sand by using the JCB machines and making raw bricks which illegally transported from the field of Uma Chamber to some other place by clearly misusing the registration certificate but the report of respondent no 1 stated that the Uma Bricks has not been remitting the penalty amount and the DRO Thoothukudi levied the penalty against Uma bricks for Rs. 13,63,480/-, inspite of that, non-remittance of penalty amount, the Uma chamber is carrying on their business by way of illegally making bricks from the digging soil of sand from the field itself. The report of respondent

no 1 the Uma chamber has been closed vide RC No 253/ GM 1 /2022 dated 11.09.2023 but it is functioning with physical support even not pay the penalty amount.

(j) The photo no 14 and 15 attached with this rejoinder submission which taken on 11-02-2025 and 09-07-2024, very clearly showing that the VBN Chambers continuously doing the illegal sand quarry even digging the sand upto 20 feet depth in the large area of the patta land which situated very near to North water canal of Tamirabarani river through which affected the people of village by surround the flood. The respondent no 1 or their subordinate has not been taking any action against them as on till date.

(k) The photo no 16 annexed with this rejoinder submission which taken on 16-03-2024 clearly showing that the Sara chambers and also doing in the other name Star CKR chamber are functioning without anybody intervention by making bricks from the digging of soil of sand at the field of chamber itself and the same was confirmed by the report of respondent no 4. But as per 1st respondent report filed in the Hon'ble Tribunal dated 15-02-2024, and 28-01-2025 by stating that the Sara and Star chamber Bricks have not remitted penalty amount which levied by the DRO thoothukudi for Rs.3,71,968/- and it was closed by the order of Sub-collector Thoothukudi vide no 353/GM 1/2022 dated 11.09.2024. Even they did not pay any single paise as on till now, on the other hand they are operating the chamber without anybody intervene and also doing illegal sand of quarry by digging sand of soil from the field itself.

(l) The photo no 17 attached with rejoinder submission which taken on 11.02.2025 and 29.07.2024 very clearly showing that the Barani Chamber is actively involving the illegal sand quarry at the field by digging soil of sand by using of JCB but the report of respondent no 1

by stating that Barani (MN & N.M.CO) (R-20) is running the M.Sand crusher Unit and not involving illicit quarry activities. Though, the respondent no 4, Tamilnadu Pollution Control Board, Thoothukudi given status concerned order but the Barani Chamber has not hold of registration certificate to run the M-sand crusher unit. So the collector has submitted the false report by giving false information before this Tribunal and same kindly not to be accepted.

17. It is respectfully submitted that, the District Collector in his report dated 09.01.2025, 28.02.2024 at page 7 in para 8 has mentioned that the flood of Tamirabharani river in the year 2023 and this village located in river bank of Tamirabharani river and is a low lying area which is prone to flood, as a result the Brick Kilns and chambers located in such village have also been damaged by the overflow of Tamirabharani river and more than 35 ponds have been breached due to December 2023 rain. As per rule 36 of Tamilnadu minor mineral concession Rule 1959 "In all Tamilnadu there shall be no quarrying in any river bed or adjoin any other area which is located within 500 meter radial distance from the location of any bridge water supply system infrastructure of drinking water plant". The mining Authorities and the Revenue Authorities knowing that our village located in river bed. But the Revenue Authority and the respondent no 8 have been issuing the Registration certificates to various chambers situated in our village jurisdiction, even many of the brick chambers has not been remitting the penalty amount as imposed by the DRO and RTO Thoothukudi, and also some of the brick chambers do not holding any valid certificates but all the chambers carrying on bricks works only for looting of sand from their field itself and the respondent no 1 has not been actively involved to stopping the illegal mining of sand in our village field area.

①
SUN BRICKS



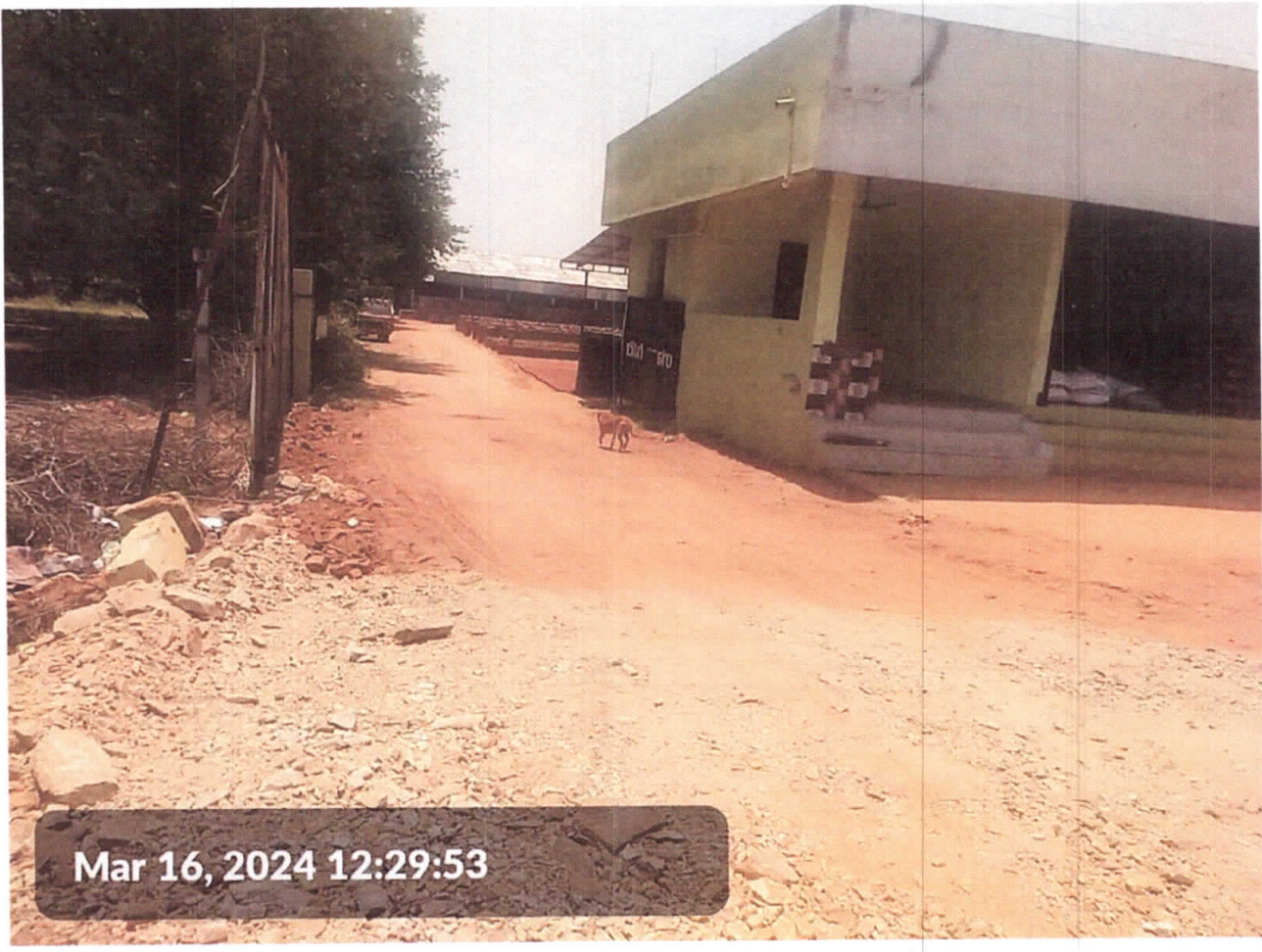
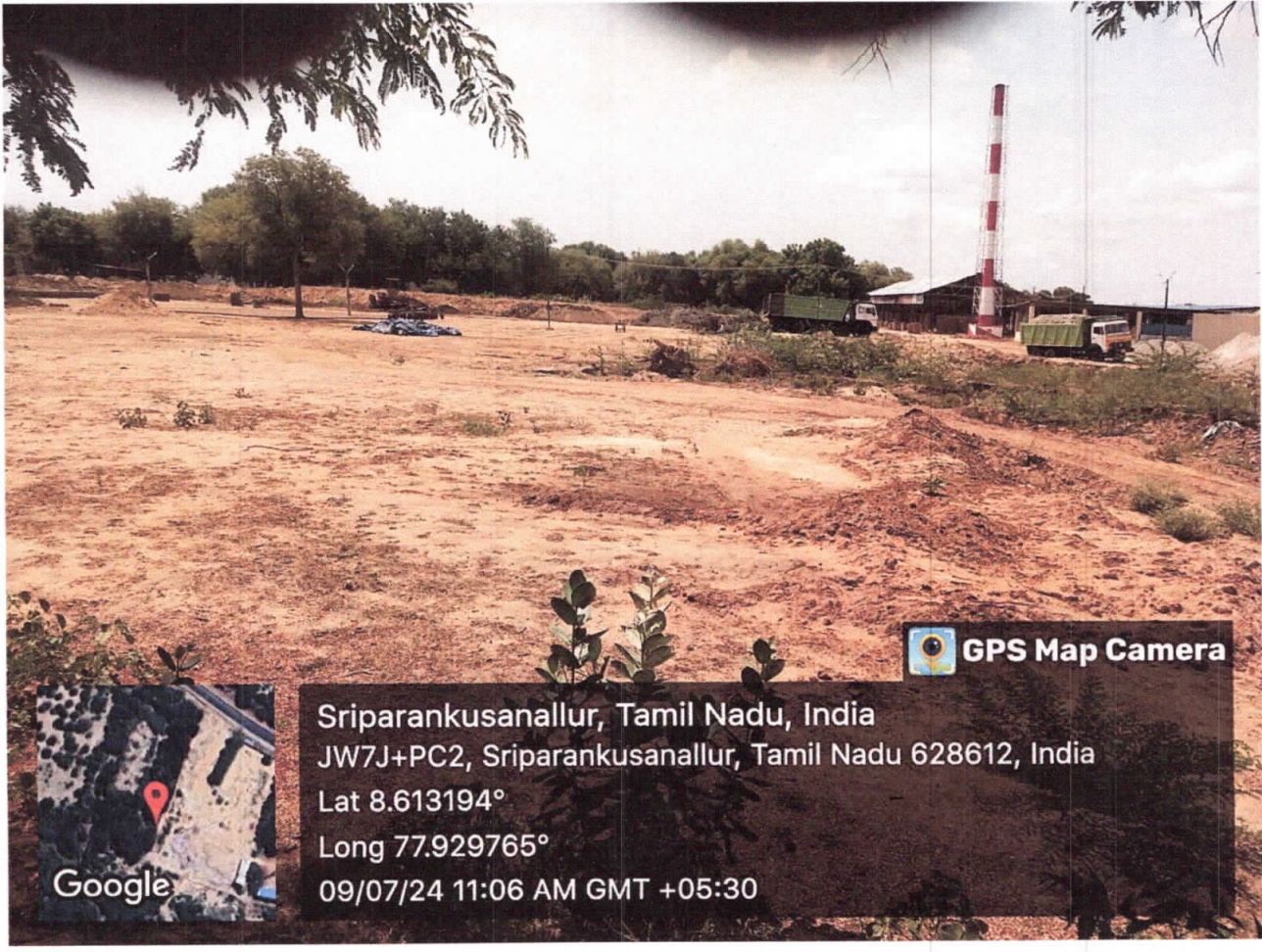
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2
SUN BRICKS

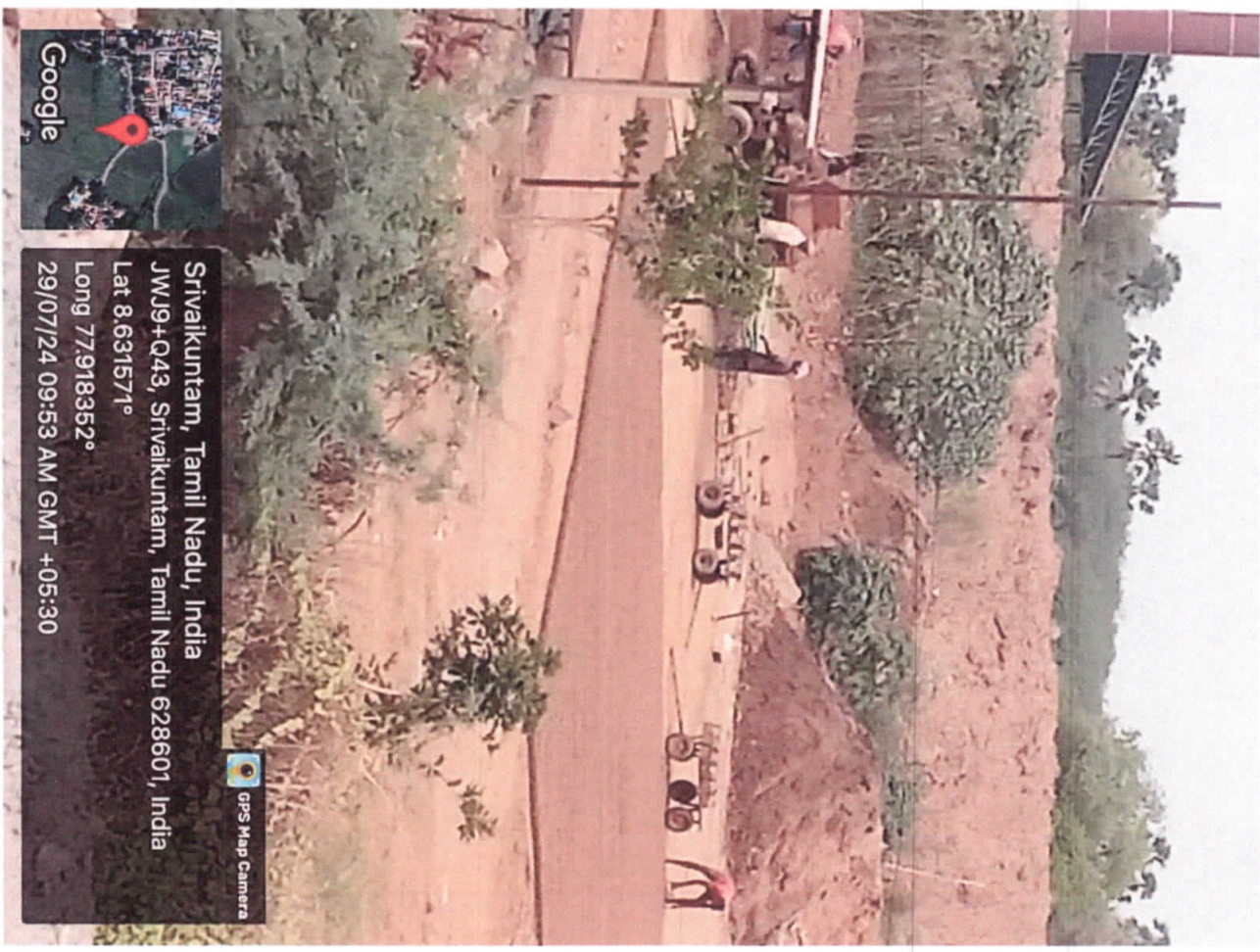
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S.J-3 BRICKS



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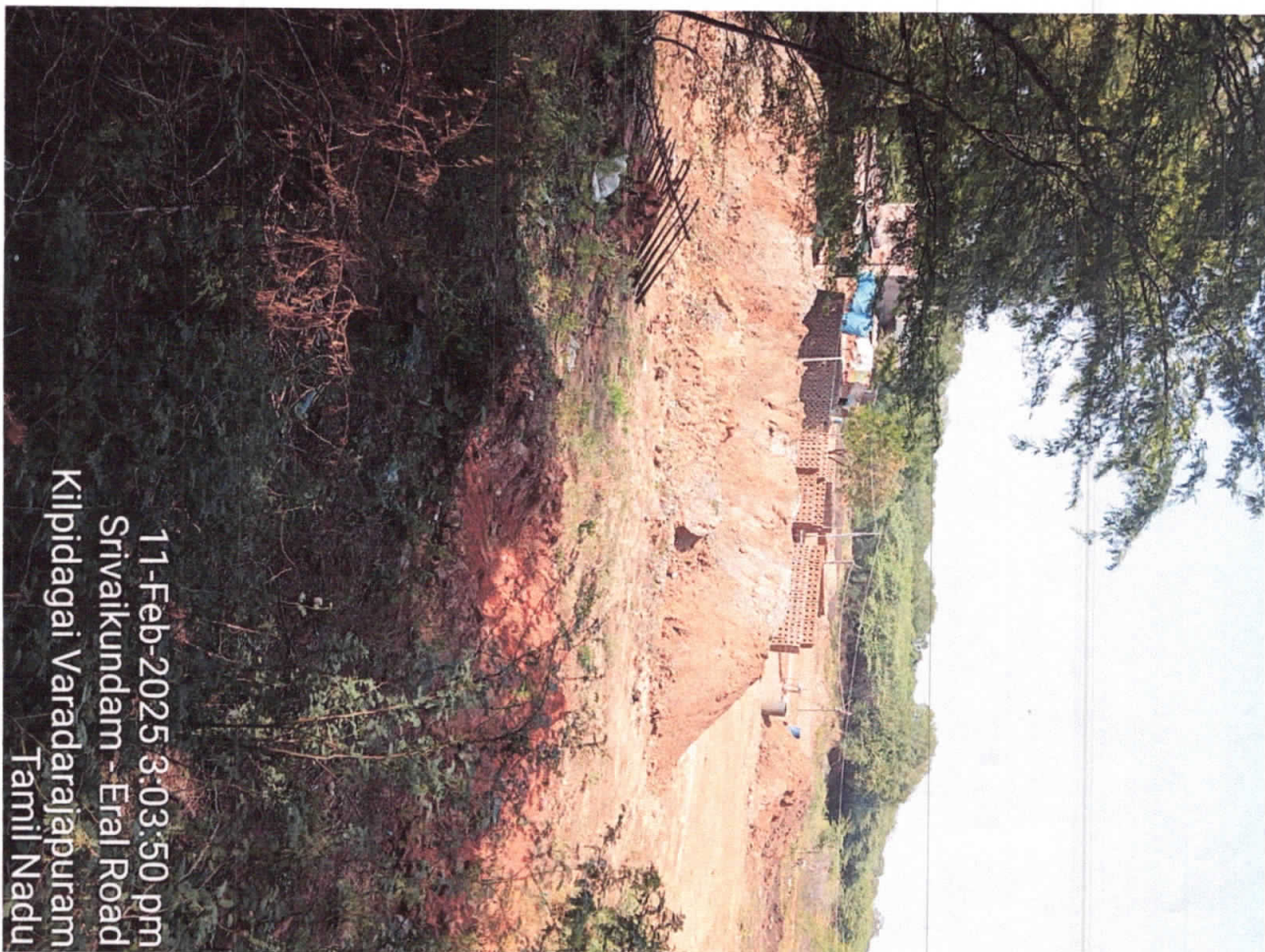
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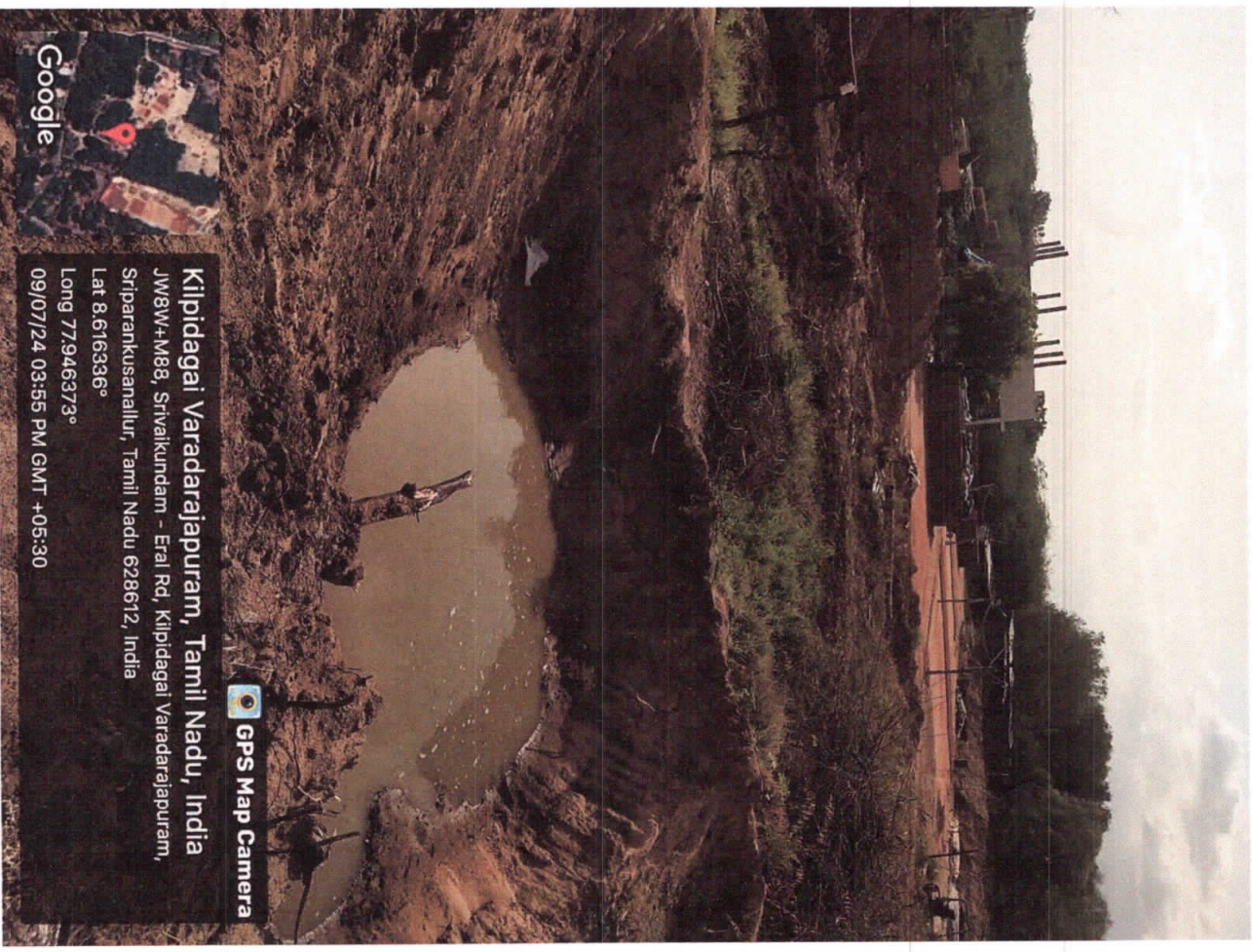
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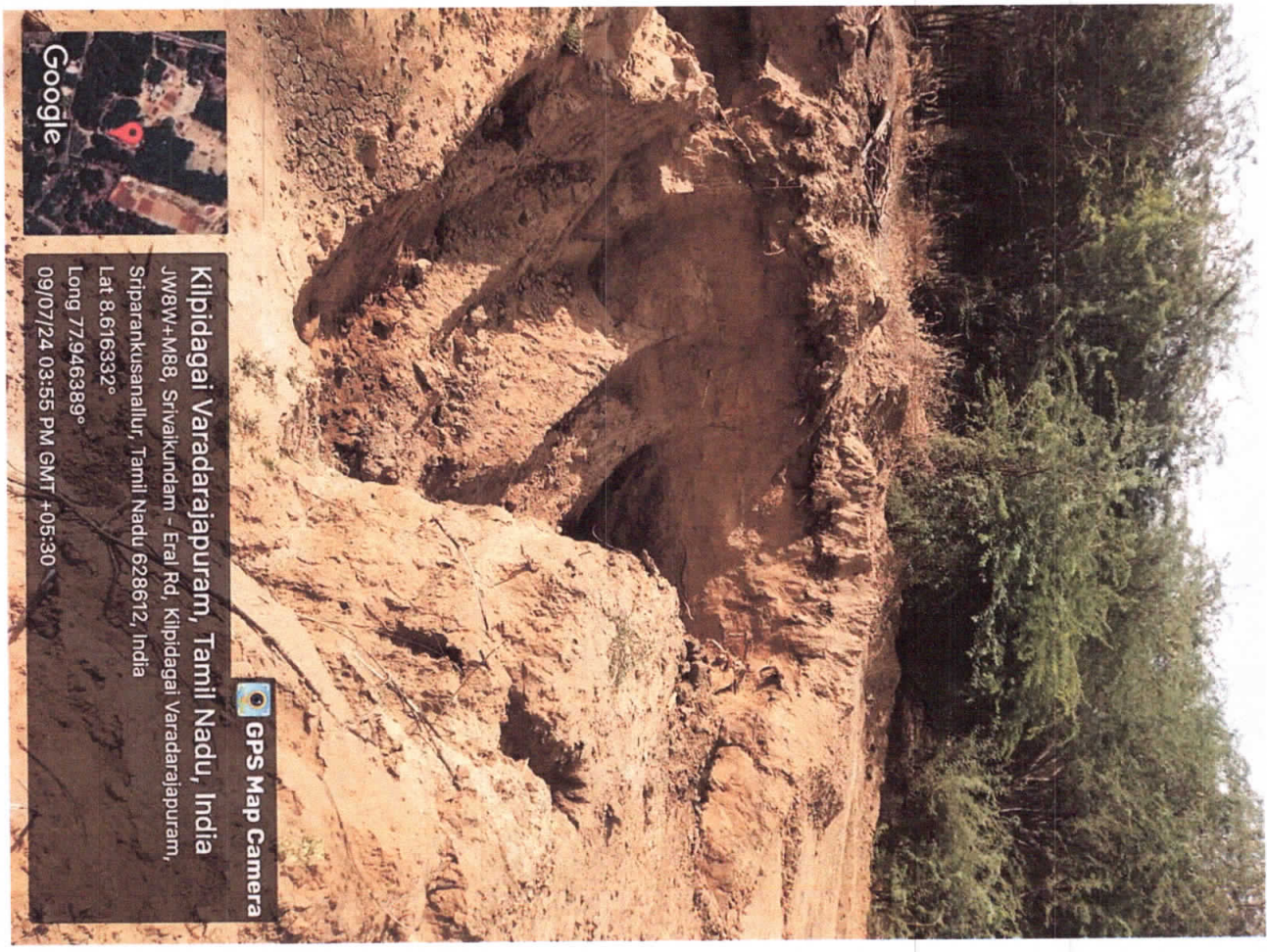
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6
BKS - BRICKS

2)



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7 SRINIVASAN BRICKS 22



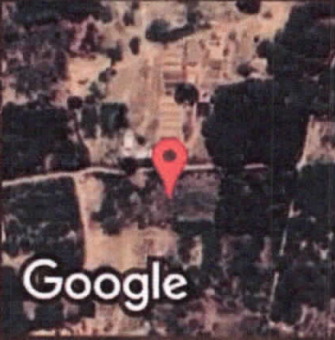
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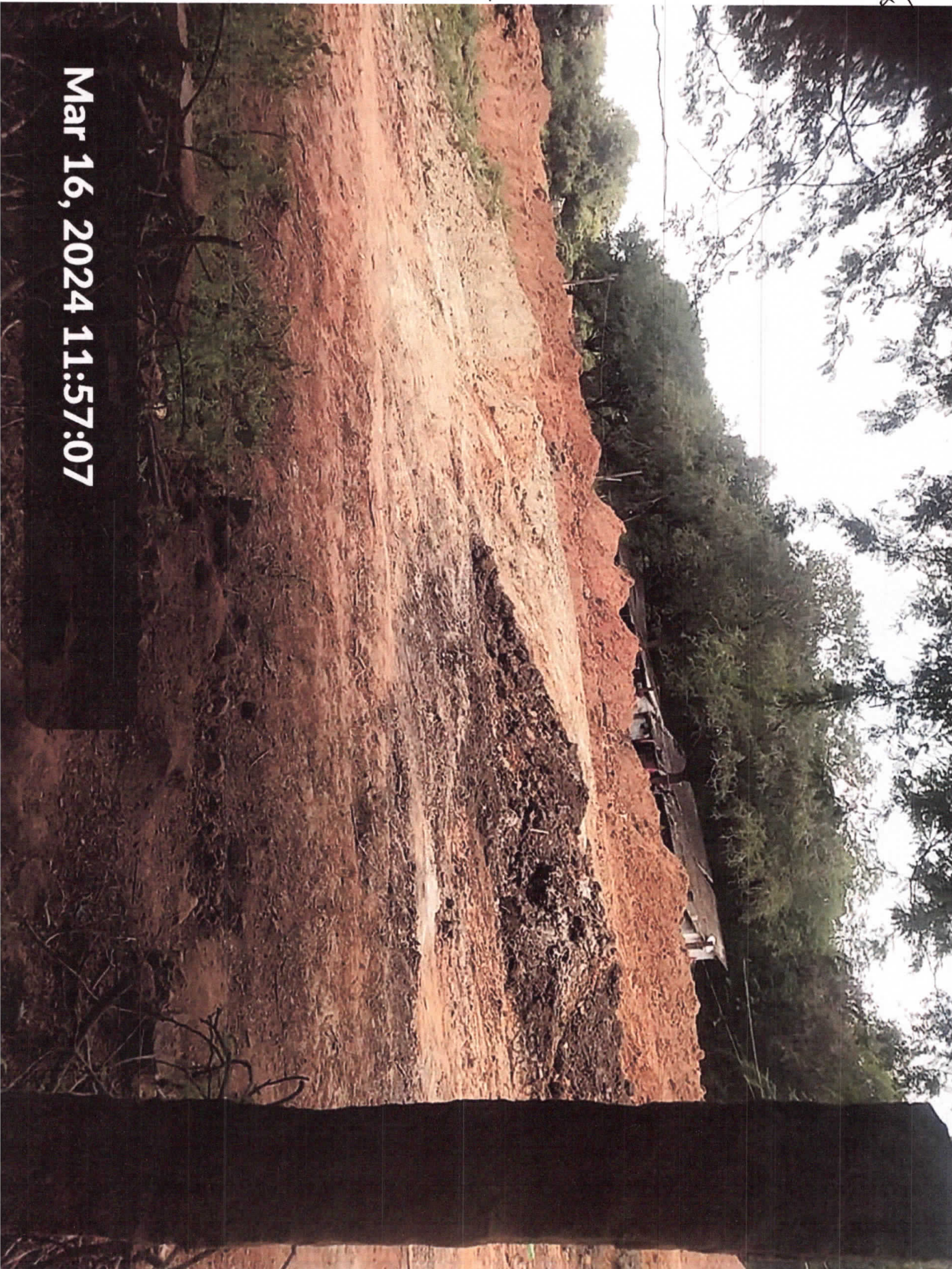
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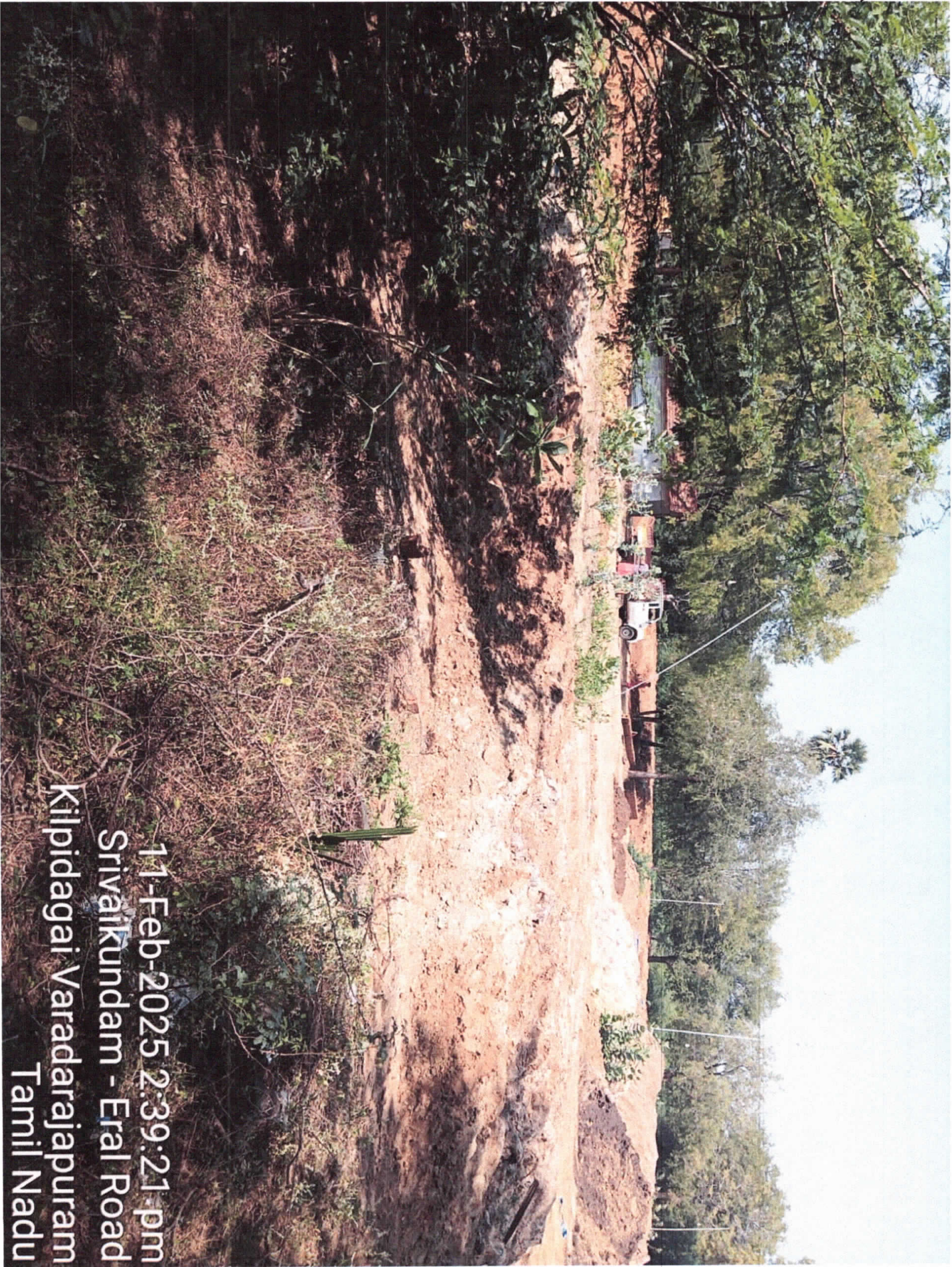
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9 KPM - BRICKS

24

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Tamil Nadu



28 Apr 2024 08:03:16

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UMA - BRICKS





 **GPS Map Camera**



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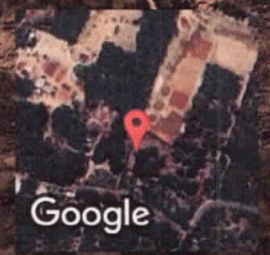


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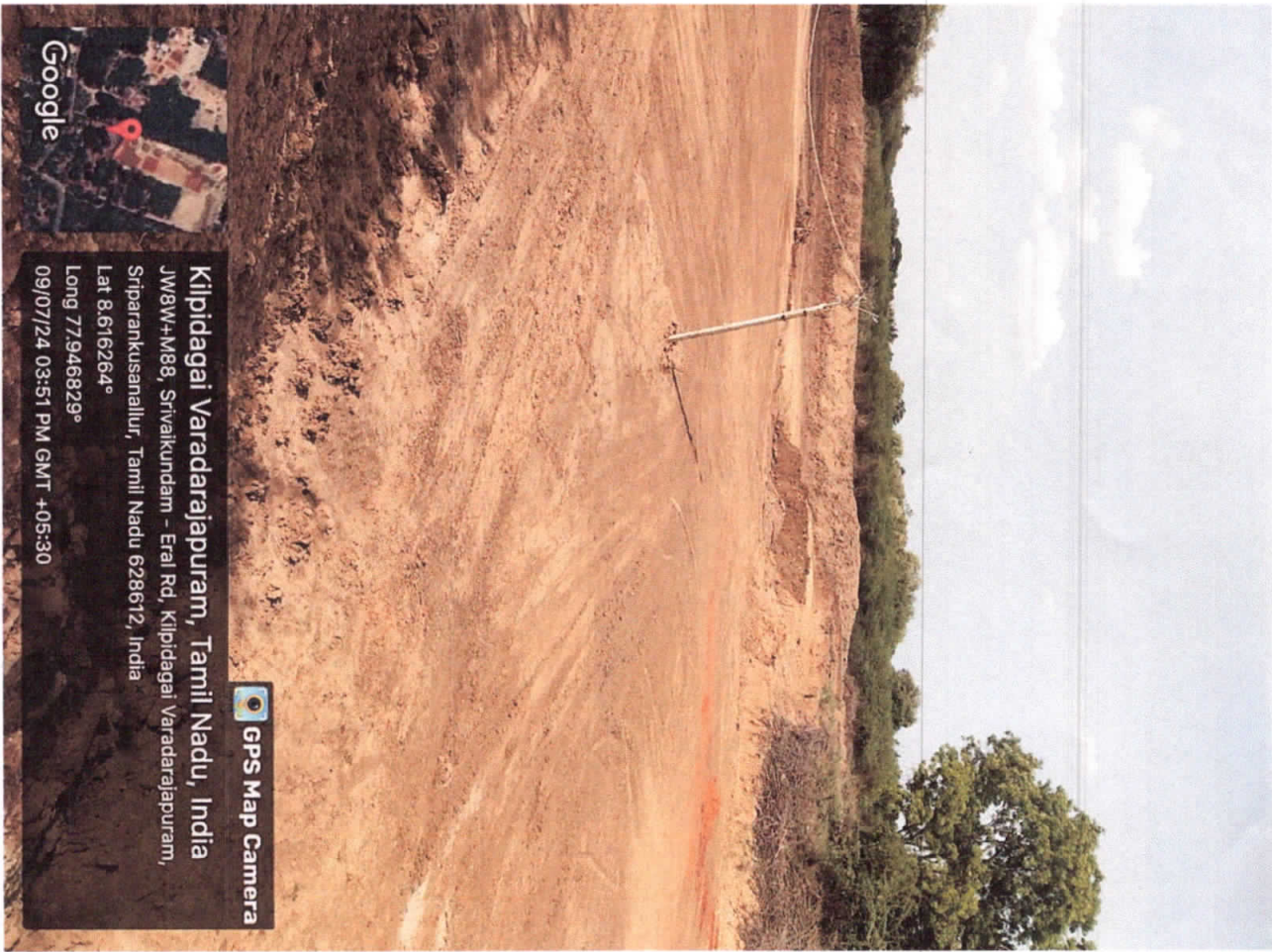


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Kilpidagai Varadarajapuram, Tamil Nadu, India
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 Sriparankusanallur, Tamil Nadu 628612, India
 Lat 8.616264°
 Long 77.946829°
 09/07/24 03:51 PM GMT +05:30



Google

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SARA CHAMBERG AND
STAR CKR CHAMBER

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Mar 16, 2024 11:04:36

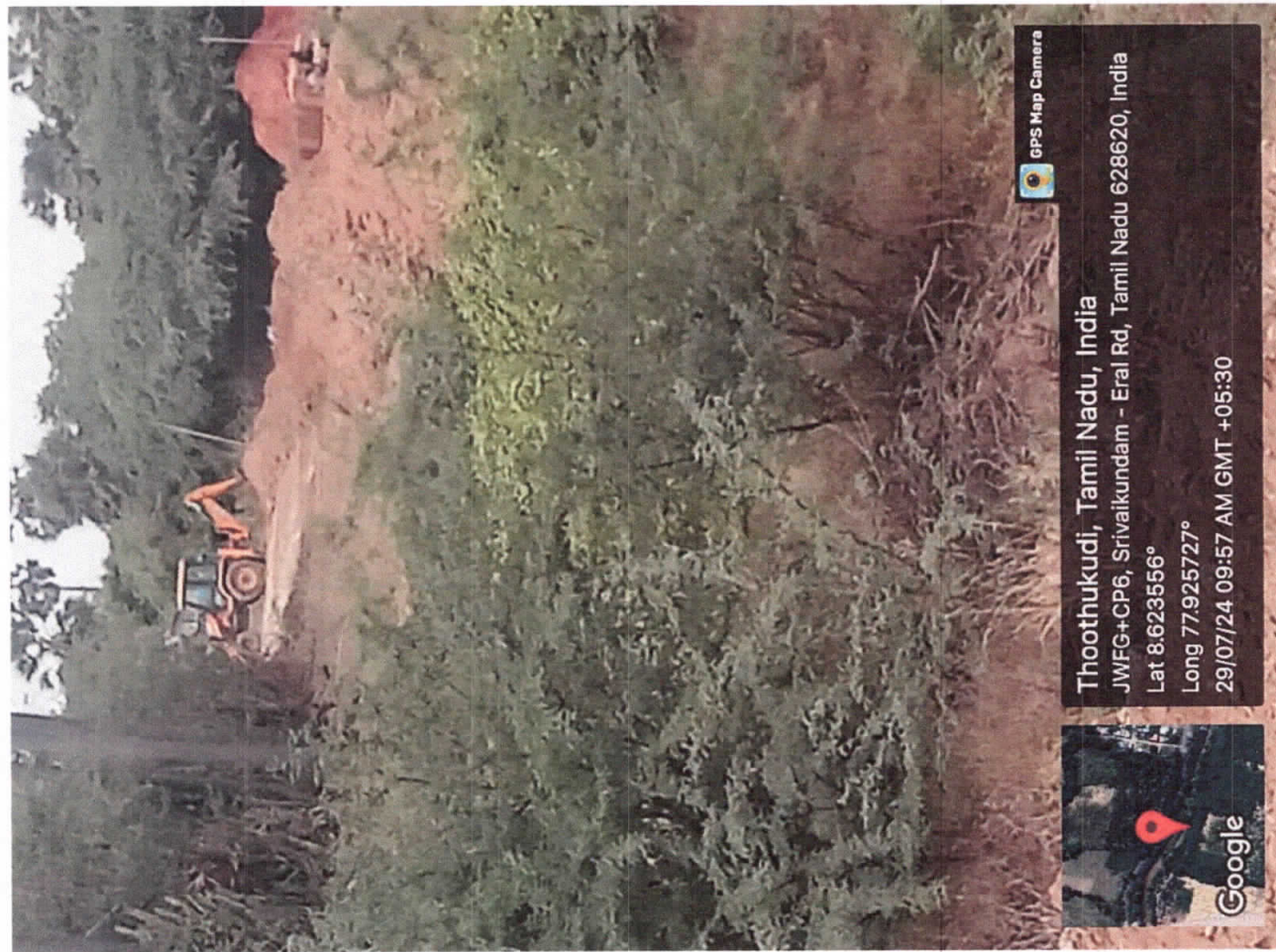


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17 BARANI CHAMBER (MN AND N.M & Co)

(17)

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

O.A.No.: 80 of 2022 (SZ)

**REJOINDER FILED BY
THE APPLICANT**

**M/s. V.SAKKARAPANI
R.PRABHAKARAN**

COUNSEL FOR PETITIONER

MOBILE : 94441 46423