

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 80 OF 2022 (SZ)**

**IN THE MATTER OF:**

T. Karunapandi  
Thoothukudi District

...Applicant

Versus

The District Collector,  
Thoothukudi District,  
Thoothukudi and ors.

...Respondents

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Through  
Dr.D.Shanmuganathan  
Standing Counsel for  
Government of Tamil Nadu  
National Green Tribunal  
South Zone

DATE: 28.01.2025

**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 Nada,  
No.5/105, South Street,  
Mela Alwarthoppu  
Sri parasangunallur panchayat  
Srivaikundam Taluk  
Thoothukudi District.

**Applicant**

**Vs**

1. The District Collector,  
Thoothukudi District,  
Tamil Nadu
2. Tirupathi,  
Tirupathi Sara Bricks,  
MangammalSalai, Nearby  
Attrupalam, Alwarthoppu,  
SrivaikundamTaluk, Thoothukudi.
3. P.Vivekanandan,  
Sun Bricks, Srivaikundam Road,  
MelaAlwarthoppu,  
SrivaikundamTaluk, Thoothukudi -  
628 602.
4. Balakrishnan,  
S.J.Bricks, Near Esakki Amman Koil,  
Melaalwarthoppu,  
SrivaikundamTaluk, Thoothukudi -  
628 602.
5. The Tahsildar,  
The Tahsildar, SrivaikundamTaluk,  
Thoothukudi - 628 602.
6. Bala Ganesh,  
Bala Ganesh SRI Brick Works, Tank  
Street, MelaAlwarthoppu,  
SrivaikundamTaluk,  
Thoothukudi - 628 602.
7. Tirupathi,

- Star C.K.R.Bricks, MangammalSalai,  
Nearby Attrupalam, Alwarthoppu,  
SrivaikundamTaluk,  
Thoothukudi - 628 602.
8. The Assistant Director,  
Geology and Mines Department,  
District Collectorate Campus,  
Thoothukudi.
  9. Ravinarayanan,  
Agni Chambers, No. 5/100,  
MangammalSalai, Alwarthoppu,  
SrivaikundamTaluk, Thoothukudi.
  10. P.Marinathan,  
P.Marinathan, K.P.M.Brick Works,  
North Street, Melaalwarthoppu,  
SrivaikundamTaluk,  
Thoothukudi - 628 602.
  11. LingaMuneswaran,  
S.K.S.Bricks, KeelaAlwarthoppu,  
SrivaikundamTaluk,  
Thoothukudi - 628 602.
  12. The District Environment Engineer,  
Tamil Nadu Pollution Control Board,  
C7 & C9, SIPCOT Industrial  
Complex, Meelavittan.
  13. Sabapathy,  
Uma Chambers, Valavallan Main  
Road, EralTaluk,  
Thoothukudi.
  14. Muthuveeran Saravanan,  
A.N.S.Chambers, Kembalabath,  
TiruchendurTaluk,  
Thoothukudi.
  15. Mr.Srinivasan,  
Srinivasan Chamber  
Maavadipannai  
Thiruchendurtaluk
  16. Linga Muneeswaran,  
A.A.Bricks, KelaAlwarthoppu,  
SrivaikundamTaluk, Thoothukudi.

17. Sakthi Chambers,  
Proprietor Baskaran  
Palkulam, Thirukalur,  
Tiruchendur Taluk, Thoothukudi.
18. A N C Chambers Works,  
Near Kaduvetti Vaikkal Bridge,  
Keela Alwarthoppu,  
Srivaikundam Taluk, Thoothukudi.
19. R Lingesh,  
A.L.R.Bricks Works, Tank Street,  
Mela Alwarthoppu,  
Srivaikundam Taluk, Thoothukudi.
20. Bharani Chambers,  
Prop. Mahendran,  
Manalgundu, Alwarthirunagari Post,  
Thoothukudi.

**Respondents**

**REPORT FILED BY THE FIRST RESPONDENT**

I, K.Elambahavath, S/o.Kanthasamy, Hindu, aged about 42 years residing at Collector's Bungalow, Thoothukudi, do hereby solemnly affirm and sincerely state as follows. I am the District Collector, Thoothukudi District, 1<sup>st</sup> Respondent herein, as such I am well acquainted with the facts and circumstances of the case from the available records. I have perused the contents of the Affidavit filed by the petitioner in support of the Original application. I am submitting the report before the in the Hon'ble National Green Tribunal in Application no 80 of 2022 (SZ).

1. At the outset of this case, it is respectfully submitted that as per the G.O.(Ms).No. 135/ Industries (MMA1) Department dated 13.11.2009, G.O. (Ms).No.170 / Industries (MMC2) Department dated 14.2.2022, G.O.(Ms).No. 109 / Industries (E2) Department dated 18.5.2015 and G.O.(Ms).No. 19 / Industries (MMC2) Department dated 14.2.2022 all the enforcement, offices are keeping constant vigil on the quarrying and removal of minerals from the

whole and corner of the district. In this case, the petitioner alleges the private respondents are continuing the activities of illegal quarrying and also running brick kilns.

2. It is submitted that, the second Respondent viz the Assistant Director (i/c), Department of Geology and Mining, Thoothukudi district accompanied by the Special Revenue Inspector (Mines) and the Village Administrative Officer, Sriparangusanallur have inspected Country brick kilns, Brick Chambers and quarried pits of Sriparasangunallur Village, Srivaikundam Taluk, Thoothukudi district, on 18.03.2021 with third respondent, Tahsildar, Srivaikundam Taluk.

3. It is submitted that, based on the report of the Assistant Director, Geology and Mining, Thoothukudi district, the Revenue Divisional Officer, Thoothukudi has imposed penalty against the chamber owners vide Proceedings Rc. No. A2/706/2021-1, 2,3,4,5 dated 10.08.2021. I also submit that, based on the inspection report of the Tahsildar Srivaikundam, Sub Collector, Thoothukudi has also imposed penalty against 6 chamber owners vide Proceedings Rc. No. A2/4329/2022 dated 01.02.2023. The details are as follows.

| Sl.No | Respondents No. | Name & address   | Details of Penalty Proceedings               | Penalty Levied | Remarks  |
|-------|-----------------|--|--|----------------|--|
| 1     | 2 & 7           | Tirupathi Sara bricks and CKR Bricks<br>(The owner of the both chamber is a same person) | Rc. No. A2/706/2021-2,3,4,5 dated 10.08.2021 | Rs. 3,71,968/- | The chamber has been closed vide No. 353/GM1/2022 dated 11.09.2023 |
| 2     | 3               | P. Vivekanandan Sun Bricks   | Rc. No. A2/4329/2022 dated 01.02.2023        | Rs. 1,01,430/- | Penalty collected  |
| 3     | 4               | Balakrishnan S.J. Bricks   | No violation detected                        |                | Non- Functional  |
| 4     | 6               | Balaganesh Sri Bricks  | No violation detected                        |                | Non- Functional  |
|       |                 |  |  |                | Appeal pending before the  |

|    |         |   |  |                      |   |
|----|---------|---|--|----------------------|---|
| 5  | 9       | Ravi Narayanan<br>Agni chamber                | Rc. No.<br>A2/706/2021-1,<br>dated<br>10.08.2021 | Rs.<br>1,65,68,774/- | Commissioner of<br>Geology and<br>Mining, Chennai<br>&The chamber has<br>been closed vide<br>No. 353/GM1/2022<br>dated 11.09.2023 |
| 6  | 10      | P.Marinathan<br>KPM bricks                    | Rc. No.<br>A2/4329/2022<br>dated<br>01.02.2023   | Rs.3,90,600/-        | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 7  | 11 & 16 | Lingamuneeswaran<br>SKS Bricks &<br>AA Bricks | Rc. No.<br>A2/706/2021-4<br>dated<br>10.08.2021  | Rs.<br>18,90,716/-   | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 8  | 13      | Sabapathy<br>Uma Chamber                      | Rc. No.<br>A2/706/2021-3<br>dated<br>10.08.2021  | Rs.<br>13,63,480/-   | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 9  | 14      | Muthuveeran<br>Saravanan<br>ANS chamber       | -  | -                    | Enquiry pending<br>with Revenue<br>Divisional<br>Officer,Tiruchendur  |
| 10 | 15      | Srinivasan<br>Srinivasan<br>Chamber           | Rc. No.<br>A2/706/2021-5<br>dated<br>10.08.2021  | Rs. 5,95,944/-       | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 11 | 17      | Sakthi chamber                                | Rc. No.<br>A2/706/2021-<br>2dated<br>10.08.2021  | Rs.<br>17,51,520/-   | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 12 | 18      | ANC Chamber                                   | -  | -                    | No chamber<br>reported in<br>Keelaalwarthoppu<br>village  |
| 13 | 19      | R. Lingesh<br>ALR Bricks                      | Rc. No.<br>A2/4329/2022<br>dated<br>01.02.2023   | Rs. 6,14,200/-       | The chamber has<br>been closed vide<br>Rc. No.<br>353/GM1/2022<br>dated 11.09.2023  |
| 14 | 20      | Barani Chamber                                | No violation<br>detected                         | -                    | Registration<br>certificate obtained  |

4. It is submitted that, the Village Administrative Officer has reported that respondent no 4 & 6, viz. S.J. Bricks and SRI Bricks are not functional in

recent years and respondent no 18 viz ANC Chamber is not located in Sriparasangunallur village, Srivaikundam taluk vide report dated 31.10.2023 & 14.02.2024.

5. It is submitted that, the respondent no 20, viz Barani Chamber has submitted bills for purchasing earth and M-sand dust from approved quarries and M-sand crusher units and no illicit quarrying pits identified in his land. Instead of using ordinary brick earth, the alternative materials crusher dust, sediments accumulated from washed M-sand, Fly ash and recycled brick waste are suggested to switch over the process of manufacturing bricks according to the new eco-friendly methods.

6. It is submitted that, due to no response from the defaulters for remitting penalty, the Sub collector, Thoothukudi had been recommended to seal the chambers functioning without Registration Certificate from Department of Geology and Mining and Concern To Operate (CTO) from Tamil Nadu Pollution Control Board after completing preliminary requirements mentioned under 21(4)21 (4-A) of Mines and Minerals (Development and Regulation) Act 1957. The District Collector, Thoothukudi has instructed Tahsildar Srivaikundam to seal the chambers function without valid certificates from Department of Geology and Mining and Tamil Nadu Pollution Control Board in Sriparangusanallur Village vide Rc. No. 353/GM1/2022 dated 11.09.2023 and the brick chambers were immediately sealed by Tahsildar, Srivaikundam on 26.09.2023.

7. It is submitted that, Tahsildar, Srivaikundam has been instructed to collect penalty from the above said defaulters under Section 5 of the Tamil Nadu Revenue Recovery Act 1890 from the person's prejudice to court injunction and appeal as per the Revenue Recovery Act 1890 vide proceedings Rc. No. 353/GM1/2022 dated 15.02.2024.

8. It is submitted that, Tahsildar, Srivaikundam has reported that, Srivaikundam village received more than 69cm rainfall in 17.12.2023 and 18.12.2023. Since, more than 1lakh cubic feet of water had been released from Papanasam and Manimuthar dams, all villages located on Tamirabarani river banks had been heavily affected by the flood. Sriparangusanallur village is also located on the bank of Tamirabarani river and is a low lying area which is prone to flood. As a result, the brick kilns and chambers located in the said village have also been damaged by the overflow of Tamirabarani river. In Srivaikundam taluk more than 35 ponds have been breached due the December 2023 rains and floods and Tamirabarani river banks also breached in many places. The villages located near Tamirabarani river bank have been completely flooded, 1732 houses were damaged, more than 21000 cattle were dead, and more than 10,000 hectares of crops have been damaged.

9. It is submitted that, Tahsildar, Srivaikundam has also reported that, a field inspection had been conducted on 14.02.2024 in all brick chambers whether any illegal quarrying has done after penal action taken by the officials and found that Agni Chamber, SKS Bricks, Aditya Bricks, KPM Bricks were sealed and not functioning. Penalty imposed on Sun Chamber Rs. 1,01,130/- had collected vide challan no. 20230927027781 dated 27.09.2023. All other chambers are inundated and non-functional. Also reported that, no new illicit quarrying pits have been identified in Sriparangusanallur village, Srivaikundam Taluk.

10. It is submitted that, the defaulter P.Marinathan, KPM Brick works has imposed penalty of Rs.3,90,600/- in partially Rs.50,000/- was collected vide challan no. 20240311005766 dated 11.03.2024.

11. It is submitted that, Tahsildar, Srivaikundam has been instructed to collect penalty from the above said defaulters under Section 5 of the Tamil

Nadu Revenue Recovery Act 1890 from the person's prejudice to court injunction and appeal as per the Revenue Recovery Act 1890 vide proceedings Rc.No. 353/GM1/2022 dated 15.02.2024.

12. It is submitted, District Collector has published press release on 27.02.2024. On this publications, penalty imposed for 11 defaulters as per rule 36-A of Tamil Nadu Minor Minerals concession rules 1959 and they should paid into government account and otherwise said penalty amount and movable and immovable properties to be seized as per the Revenue Recovery Act 1890.

13. It is submitted that, Tahsildar, Srivaikundam has been instructed to collect penalty from the above said defaulters under section 5 of the Tamil Nadu Revenue Recovery Act 1890 and also sent for reminder letter on 30.08.2024.

14. It is submitted that, Tahsildar, Srivaikundam has reported that, a field inspection had been conducted in all brick chambers. The working chambers and brick kilns details are as follows.

| S. No | Village             | Owner Name                         | Survey Nos       | Reg No                                 | A brick kiln which has not been approved and renovated | Period of Registration         |
|-------|---------------------|------------------------------------|------------------|--|--|--------------------------------|
| 1.    | Sriparangusa nallur | Bhaskaran (Sakthi Chamber)         | 74/6,96/14,74/19 | 978/G.&M/2022<br>11.11.2022            | -  | 11.11.2022<br>to<br>10.11.2025 |
| 2.    | Sriparangusa nallur | Nandakumar (Uma Chamber)           | 63/22            | Roc<br>NoG.M1/170/<br>2022             | -  | 08.03.2022<br>to<br>07.03.2025 |
| 3.    | Sriparangusa nallur | Balamaheswaran (Sreejayram Bricks) | 64/44            | Roc G.M1/1110/<br>2022 06.01.2023      | -  | 06.01.2023<br>to<br>05.01.2026 |
| 4.    | Sriparangusa nallur | Marinathan (KPM Bricks)            | 37/21            | Roc<br>NoG.M1/1108/2<br>022 06.01.2023 | -  | 06.01.2023<br>to<br>05.01.2026 |
| 5.    | Sriparangusa        | Rathnaswamy                        | 59/35            | Roc                                    | -  | 06.01.2023                     |

|     |                        |                                      |   |   |                                |                                |
|-----|------------------------|--------------------------------------|---|---|--------------------------------|--------------------------------|
|     | nallur                 | (Balaji Bricks)                      |   | G.M1/1107/22<br>06.01.2023              |                                | to<br>05.01.2026               |
| 6.  | Sriparangusa<br>nallur | Lingeswaran<br>(Aditya<br>Chamber)   | 64/8  | Roc<br>G.M1/1109/22<br>06.01.2023       | -                              | 06.01.2023<br>to<br>05.01.2026 |
| 7.  | Sriparangusa<br>nallur | Prabhakaran<br>(PPR Bricks)          | 82/7A   | Roc.No.66/G&M/<br>2023 08.02.2023       | -                              | 08.02.2023<br>to<br>07.02.2026 |
| 8.  | Sriparangusa<br>nallur | Linga<br>Muneeswaran<br>(SKS Bricks) | 5/10  | -                                       | -                              | -                              |
| 9.  | Sriparangusa<br>nallur | Srinivasan<br>(VNC Bricks)           | 59/45   | -                                       | -                              | -                              |
| 10. | Sriparangusa<br>nallur | Selva Kumar<br>(VNB Chamber)         | 6/18  | Roc<br>NoG.M1/943/<br>2021 16.03.2022   | -                              | 16.03.2022<br>to<br>05.03.2025 |
| 11. | Sriparangusa<br>nallur | Tirupati Ramya<br>(Sara Chamber)     | 2/31,2/30,<br>2/29A,2/2<br>8A,<br>2/288,2/1                 | Roc No<br>G.M1/1062/22<br>13.01.2023    | -                              | 13.01.2023<br>to<br>12.01.2026 |
| 12. | Sriparangusa<br>nallur | M. Varun<br>(MNNM&co<br>Chamber)     | 84/19, 84/<br>23,<br>84/248<br>116/28,11<br>6/29,117/<br>25 | Roc No<br>G.M1/1042/<br>2022 30.12.2022 | -                              | 30.12.2022<br>to<br>29.12.2025 |
| 13. | Sriparangusa<br>nallur | Ravinarayanan<br>(Agni Chamber)      | 90/1  | Roc No<br>G.M1/126/2019<br>30.12.2022   | 13.08.2019<br>to<br>12.08.2022 | -                              |
| 14. | Sriparangusa<br>nallur | Vivekanandhan<br>(Sun Chamber)       | 107/5,<br>107/6B,<br>107/7B                                 | -                                       | -                              | -                              |
| 15. | Sriparangusa<br>nallur | Balakrishnan<br>(SJ Bricks)          | 117/42  | -                                       | -                              | -                              |

15. It is submitted that, Tahsildar, Srivaikundam has also reported that, A case was filed by Mr. Gnaneswaran in the Madurai Branch of the Madras High Court, stating that the brick kilns operating in the above manner were taking soil without proper permission, and thereafter the said places were visited by the Thoothukudi Revenue Commissioner and fines were imposed on the violating brick kilns. Also, Mr. Karunapandi has filed a case in the National Green Tribunal South Region. Subsequently, fines have been

imposed by the Thoothukudi Collector, for the brick kilns which violated the rules.

16. It is submitted that, Tahsildar, Srivaikundam has also reported that, In this case, the said fined amount has been collected under the Revenue Collection Act as per the processes of the Thoothukudi District Government President as per the procedures of the District Government as per the following date.

| S.No | Name of the Chamber / Brick Kiln | S.F.Nos  | Name of the person penalty imposed | Soil Taken Hects (cbm) | Penalty (Rs.) | Paid Amount to till date (Rs.) |
|------|----------------------------------|--|------------------------------------|------------------------|---------------|--------------------------------|
| 1.   | Agni Chamber                     | 90/2B,<br>90/2A,<br>2/9B,<br>2/8B2,<br>2/8B1,<br>2/8A,<br>2/8B3, 2/A | Thiru.Ravinarayanan                | 93,083                 | 1,65,68,774   | -                              |
| 2.   | Sakthi Chamber                   | 74/5A,<br>74/5B,<br>96/15,<br>96/20,<br>96/25                        | Thiru.Baskaran                     | 9,840                  | 17,51,520/-   | 65,000/-                       |
| 3.   | Uma Chamber                      | 63/21,<br>63/33  | Thiru.Sabapathi                    | 7,660                  | 13,63,480/-   | 40,000/-                       |
| 4.   | SKS Chamber                      | 5/10,<br>5/18A,<br>5/21  | Thiru.Linga Muneeswaran            | 10,622                 | 18,90,716/-   | 10,000/-                       |
| 5.   | Seenivasan Chamber               | 56/45,<br>59/40,<br>59/20  | Thiru.Seenivasan                   | 3,348                  | 5,95,944/-    | -                              |
| 6.   | Sri Jeyaram Bricks               | 64/44  | Thiru.Bala Magesh                  | 2,250                  | 2,83,500/-    | 35,000/-                       |
| 7.   | KPM Bricks                       | 37/8   | Thiru.Marinathan                   | 3,100                  | 3,90,600/-    | 65,000/-                       |
| 8.   | Aditya Bricks                    | 64/8,<br>64/11,<br>64/12,<br>64/13                                   | Thiru.Lingeswaran                  | 4,875                  | 6,14,250/-    | 40,000/-                       |
| 9.   | Balaji Bricks                    | 59/35  | Thiru.Rathinasamy                  | 1,134                  | 1,42,884/-    | 25,000/-                       |
| 10.  | PPR Bricks                       | 82/7   | Thiru.Prabhakaran                  | 1,761                  | 2,21,886/-    | 25,000/-                       |
| 11.  | Sara Chamber                     | 2/12, 2/14   | Tmt.Ramya                          | 1,453                  | 3,71,968/-    | -                              |

|              |                    |                   |
|--------------|--------------------|-------------------|
| <b>Total</b> | <b>1,65,68,774</b> | <b>3,05,000/-</b> |
|--------------|--------------------|-------------------|

17. It is submitted that, Tahsildar, Srivaikundam has also reported that, field inspection was conducted in all the chambers to see if the soil was removed after the penalty action had already been taken in the above brick chambers in Sriparangusanallur village. Agni Chamber, SKS Bricks, Adithya Bricks, KPM Bricks have been sealed in the said brick chambers. Penalty imposed on Sun Chamber is Rs.1,01,430/- vide Challan No. 20230927027781 as on 27.09.2023 the chamber company has paid. I humbly inform you that action is being taken to collect the penalty amount in other brick chambers.

18. The owner of Agni Chamber, Mr.Ravinarayanan, appealed before the District Collector, Thoothukudi against the penalty imposed order of Revenue Divisional Officer, Thoothukudi. The District Collector, Thoothukudi has reduced penalty amount Rs.1,17,28,458/- as per Tamil Nadu Minor Mineral Concession Rules 1959. Again, the owner of Agni Chamber aggrieved order of the District Collector, Thoothukudi appealed before Commissioner of Geology and Mining, Chennai and is order also dismissed. Again, the owner of Agni Chamber aggrieved order of the Commissioner of Geology and Mining, Chennai appealed before Government and is pending.

19. It is submitted that, All the enforcing authorities designated under G.O (Ms) No.170 /Ind (MMC1) Department dated 05.08.2020, Revenue Divisional Officer, Tahsildars and Police officials are alerted for keeping constant vigil over the subject area. The Revenue and are engaged in continuous patrolling in vulnerable areas.

20. It is submitted that, all efforts are being accelerated to curb unauthorized quarrying and removal of brick earth and their transportation / storage in the brick kilns by the Taluk Level Task Force assisted by the flying

squad and other enforcement officers round the clock. The public of the river banks of Tamirabharani are also frequently consulted to identify the brick earth quarrying area.

Therefore, in view of the above, the Hon'ble National Green Tribunal (sz) Chennai may accept this reply and may be pleased to order of further direct in the interest of public and mineral development and this render justice.

**Place : Thoothukudi**  
**Date : 09-01-2025**

**ELAMBAHAVATH K**  
**District Collector,**  
**Thoothukudi**

**VERIFICATION**

I, K.Elambahavath, S/o.Kanthasamy, aged 42 years discharging my duties as District Collector, Thoothukudi district solemnly affirm that the contents of this report are true to the best of my knowledge based on the records and I have not suppressed any facts.

**Signature ELAMBAHAVATH K**

**Seal**

**Date 09-01-2025**