

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 95 of 2023 (SZ)**

**IN THE MATTER OF:**

P. Kannappan,

Kancheepuram and Anr

...Applicant(s)

-Vs-

The Tamil Nadu Coastal Zone Management Authority,

Chennai and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu

National Green Tribunal

Southern Zone

**Date: 15.10.2024**

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,  
CHENNAI

Original Application No. 95 of 2023 (SZ)

- 1) P. Kannappan,  
S/o. Theepanjan,  
Tsunami Quarters,  
Thazhuthali kuppam, Cheyyur,  
Kancheepuram.
- 2) D.Moorthy,  
S/o.Duraikannan.  
Tsunami Quarters,  
Thazhuthali kuppam, Cheyyur,  
Kancheepuram.

.....Applicants

Verses.

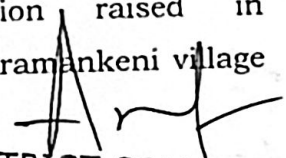
1. The Tamil Nadu Coastal Zone Management Authority,  
Rep by its Member Secretary  
No.1. Jeeenis Road, Panagal Buildings  
Ground Floor, Saidapet, Chennai-600 015.
2. District Collector,  
Chengalpattu District,  
G.S.T Road,  
Chengalpattu- 603 001.

....Respondents

**INDEPENDENT REPORT FILLED BY THE DISTRICT COLLECTOR,  
CHENGALPATTU**

I, S.Arunraj, S/o. R.Samuthira Pandiyan, male, aged about 31 years residing at the Collector's bungalow, Chengalpattu, discharging duties as District Collector, Chengalpattu, do hereby solemnly affirm and sincerely state as follows:-

It is submitted that Thiru.Kannappan S/o.Duraikannan have filed Original Application No.95 of 2023 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai with prayer to direct the Respondents 1 and 2 to demolish all the illegal construction raised in survey No.482,483,484,485,486,487,488,496,497,498,499 of Paramankeni village

  
DISTRICT COLLECTOR  
CHENGALPATTU

(3/5)

and survey no.241 of Mudaliarkuppam village, all of which CRZ III as per the approved CZMP remove all construction debris, wastes, materials and to restore the area to its age original condition.

It is submitted that with regard to the aforesaid issue of encroachment made on the CRZ area along the beach in Survey Nos.482, 483, 484, 488, 498 etc., of Paramankeni Village in Cheyyur taluk in Chengalpattu district, an initial report incorporating the details of encroachment made, had been submitted to the Tribunal by the District Collector in his "independent report." Dated:13.03.2024.

Subsequently, when the above case came up for hearing on 6.8.2024, the Hon'ble Tribunal was pleased to pass the following direction:-

*"1. It was also stated that one of the persons viz., Raguram had obtained the interim order of stay from the Hon'ble High Court of Madras in Writ Petition Viz., W.M.P. No . 15117 of in W.P. No 13923 of 2024.*

*2. The said Writ Petition is against the notice issued by the Deputy Director-Town and Country Planning, Chengalpattu as per the Town and Country Planning act, 1971. It appears that notice has not been issued by the Coastal zone Management authority. Let the Detailed report in this regard be filed by the appropriate authorities."*

Pursuant to the above direction of the Hon'ble Tribunal, the Assistant Director, DTCP, Chengalpattu, (Member -DCZMA) and the District Environmental Engineer, Tamil Nadu Pollution Control Board (Convener -DCZMA) were instructed to conduct a joint inspection of the area in question and to report thereon. In response, the above officials conducted joint inspection of the location under consideration on 10.10.2024, and filed a report thereon wherein they have highlighted the following facts and circumstances.

*"1.Two buildings, a container house and a civil foundation work for a building were noticed in the area under consideration.*

*2. Out of the aforesaid four unauthorized construction activities, the power supply to three unauthorized construction activities were disconnected by the TANGEDCO. Owner of the fourth unauthorized building has obtained stay from the Hon'ble High Court of Madras in W.P.No. 13923 of 2024.*

*Ant*  
DISTRICT COLLECTOR  
CHENGALPATTU

(4/5)

3. Further, it was noticed that the above three properties were found under lock and key conditions with no occupants. No further progress is noticed in the 4<sup>th</sup> unauthorized civil foundation work."

It is submitted that on the basis of the Joint inspection report filed by the aforesaid officials, orders were issued by the District Coastal Zone Management Authority, in RC .No 16080/2023/L1 Dated 5.10.2024, directing the Assistant Director DTCP Chengalpattu, who is a member of the DCZMA, to initiate immediate steps to remove the unauthorized constructions made in violation of the Coastal Regulation Zone Notification 1991, by invoking provisions of the relevant Act.

It is submitted that the Assistant Director, DTCP, has been directed by DCZMA, Chengalpattu district, to furnish the action taken report in the above respect within 15 days of issuance of the said order. Further, it is respectfully submitted that the status report in compliance of the order of Hon'ble National Green Tribunal would be submitted by the DCZMA before the Hon'ble Tribunal upon receiving the action- taken report from the Assistant Director, DTCP, Chengalpattu.

It is submitted that apart from taking necessary action to remove the encroachments as specified above, the above officer has been directed to take necessary immediate steps to vacate the stay order issued by the Hon'ble High Court of Madras in favour of one of the encroachers Thiru.Raghuram in W.P.No. 13923 of 2024, and to file the consolidated action taken report before the DCZMA within 15 days.

The foregoing facts and documents related to the enquiry conducted are submitted for the kind consideration of the Hon'ble Tribunal and for further orders.

DATE: 14.10.2024

  
DISTRICT COLLECTOR  
CHENGALPATTU

(5/5)

**JOINT INSPECTION REPORT IN RESPECT OF O. A NO. 95 OF 2023 (SZ) FILED BY THIRU KANNAPPAN VS THIRU D. MOORTHY OF THAZHUTHALAIKUPPAM, CHEYYUR TALUK, CHENGALPATTU DISTRICT:**

It is submitted that one Thiru Kannappan, S/o.Theepanjan and Thiru D. Moorthy, S/o.Duraikannan have filed Original Application No.95 of 2023 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai with the prayer to direct the Respondents 1 and 2 therein to demolish all the illegal constructions raised in Survey Nos 482, 483, 484, 485, 486, 487, 488, 496, 497, 498, and 499 of Paramankeni Village and Survey No.241 of Mudaliarkuppam Village, all of which fall within the CRZ III - Zone as per the approved CZMP and to remove all construction debris, wastes, materials and to restore the area to its original condition.

In this regard, it is respectfully submitted that the Hon'ble National Green Tribunal (SZ), Chennai in its order dated 18.09.2024 directed the following,

*"1. The further action taken report of the SCZMA - Tamil Nadu, District Collector - Chengalpattu District, Directorate of Town and Country Planning and Local Planning Authority - Coimbatore have not yet been filed, despite several adjournments being given.*

*2. Even today, there is no response from any of these authorities. If no action is taken by any of the above authorities before the date of next hearing, which would be after four weeks as requested by the learned counsel appearing for the State of Tamil Nadu, we will be constrained to insist on the appearance of all the officials concerned."*

In response, the District Collector/Chairman of the DCZMA has directed the District Environmental Engineer, TNPCB, Chengalpattu (DCZMA - Convener) and the Deputy Director of Town and Country Planning, Chengalpattu District (DCZMA - Member) to inspect the site and file a status report vide Letter dated 05.10.2024.

In due compliance of the above Hon'ble NGT Order dated 18.09.2024 and as per the instructions of the District Collector/Chairman of the DCZMA, Chengalpattu District, the said complaint area was inspected on 08.10.2024 by the team of TNPCB officials along with officials from Directorate of Town and Country Planning, Chengalpattu District.

Inspection report is submitted as below.

During inspection in the CRZ III - Zone,

1. Two buildings, a container house and civil foundation work for a building were noticed. ✓
2. Out of four unauthorised construction activities, as per the Hon'ble NGT (SZ) order dated 14.03.2024, the Power supply to the three unauthorised construction activities were disconnected by the TANGEDCO. Owner of the fourth unauthorised

building has obtained stay from the Hon'ble High Court of Madras in W.P.No.13923 of 2024.

3. Further, it was noticed that the above three properties were found under lock and key conditions with no occupants. No further progress is noticed in the 4<sup>th</sup> unauthorized civil foundation work completed building.





The status report is submitted for kind perusal and further necessary action please.

*Janidhaya*  
10/10/24

Member - DCZMA /Deputy Director of  
Town and Country Planning,  
Chengalpattu District.

*Govindarajan*  
10/10/24

Convener - DCZMA/  
District Environmental Engineer,  
Tamilnadu Pollution Control Board,  
Maraimalainagar, Chengalpattu District