

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

ORIGINAL APPLICATION (OA) NO. 7 OF 2025

IN THE MATTER OF:

Nazar. S,

S/o. Sainulabdin,

Residing at:

Kaithakonam, Kunninpurathu Veedu, Kattakada P.O.,

Veeranakavu, Thiruvananthapuram,

Kerala - 695 572.

.... APPLICANT

Versus

1. The District Collector,

District Collectorate Civil Station,

2nd Floor, Civil Station Buildings,

Kudappanankunnu, Thiruvananthapuram

E-mail ID: dctvm.ker@nic.in

Mobile No: 047127312

2. The Chairperson,

Kerala State Pollution Control Board,

Head Office, Pattom P.O,

Thiruvananthapuram, Kerala - 695 004.

E-mail ID: chnn.kspcb@gov.in

Mobile No: 9447975737

3. The District Administrator,

Local Self Government Department,

Principal Directorate

Swaraj Bhavan, First Floor,

Nanthancode, Kowdiar PO,

Thiruvananthapuram 695003

E-mail ID: duatvpm@gmail.com

Mobile No: 0471-2318896, 0471-2312886

4. The Territorial Manager (Retail),

Bharat Petroleum Corporation Limited,

Irimpanam Installation, Irimpanam P.O.

Cochin - 682 309.

E-mail ID: Not Known

Mobile No: Not Known

5. Shukoor

Co-owner of the Property situated at:
Re-survey No. 145/1, 145/2-1, 145/2-2, 145/2-3-1
(New Re-survey Nos. 145/37, 145/38),
Veeranakavu Village, Kattakada,
Thiruvananthapuram, Kerala - 695 572.
E-mail ID: Not Known
Mobile No: Not Known

6. Rejina

Co-owner of the Property situated at:
Re-survey No. 145/1, 145/2-1, 145/2-2, 145/2-3-1
(New Re-survey Nos. 145/37, 145/38),
Veeranakavu Village, Kattakada,
Thiruvananthapuram, Kerala - 695 572.
E-mail ID: Not Known
Mobile No: Not Known

7. Harikumar,

Dealer of Bharath Petroleum Corporation Ltd residing at:
Uthrattathi, Jnra-10,
Jyothi nagar, Vettamukku Thirumala
Trivandrum-695006
E-mail ID: Not Known
Mobile No: Not Known

... RESPONDENTS

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The documents filed above are certified as true copies of their respective originals

Dated at Chennai on this the 27th day of January, 2026


CMS.4201/2022

COUNSEL FOR THE APPLICANT

1

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Trivandrum-695006

E-mail ID:Not Known

Mobile No: Not Known

... RESPONDENTS

AFFIDAVIT OF NAZAR

I, Nazar. S, S/o. Sainulabdin, residing at Kaithakonam, Kunninpurathu Veedu, Kattakada P.O., Veeranakavu, Thiruvananthapuram, Kerala - 695 572, having come down to Chennai, do hereby solemnly affirm and sincerely state as follows:

1. That the present Application has been filed by the Applicant seeking stay on the operation of Petrol pump at Re-survey No. 145/1, 145/2-1, 145/2-2, 145/2-3-1, (New Re-survey Nos. 145/37, 145/38), Veeranakavu Village, Kattakada, Thiruvananthapuram, Kerala - 695 572 (hereinafter referred to as "Premise") and direct the 1st to 3rd Respondent to



restitution the premises to its prior state to ensure compliance with environmental laws and the protection of public interest.

2. That the present Application was listed before this Hon'ble Tribunal on 22.01.2026 for admission. This Hon'ble Tribunal has raised a question of maintainability of the present Application on the ground that the cause of action for the present dispute first arose way back in the year 2023.
3. I submit that although the No Objection Certificate (NOC) for establishment of the petroleum pump was granted to the 4th Respondent in the year 2023, subsequent developments have materially altered the same. In the year 2024, the Village Officer and the Tahsildar has reported that premises comes under stream, grazing land of the Government and the stream has been completely filled up with mud and there is encroachment beyond the waste/grazing land. Further, directions were issued by the Village Officer to fix the boundaries through a Taluk surveyor and take necessary steps to restore the stream to its original condition.
4. I state that thereafter I was under assumption/belief that the petroleum pump construction activities had been discontinued, as no further steps were taken at the Premises for and the natural stream had been restored to its original condition.
5. However, I respectfully submit that in December 2025, during the rain, while passing through the adjoining area of the said Premises, I noticed logging and stagnation of water caused by the alteration of the nature of



the Premises. Subsequently, I learned that construction of a petroleum pump had been commenced at the said Premises, which resulted in flooding of the adjoining road and caused serious inconvenience to the public and adverse impact on the surrounding environment.

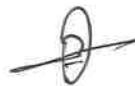
6. I submit that upon personally witnessing the water stagnation and the construction activities at the Premises, I made enquiries with the concerned authorities and local residents and was informed that permission had been granted to the 5th and 6th Respondents to alter the nature of the Premises for the purpose of constructing a petroleum pump. I further submit that the 5th and 6th Respondents have altered the natural condition of the land and commenced construction thereon. The said alteration of the Premises has resulted in obstruction of natural drainage, leading to stagnation of water and consequent environmental harm and hardship to the general public.
7. I further submit that I have approached this Hon'ble Tribunal immediately upon personally noticing the environmental impact, namely water stagnation and alteration of the natural character of the land by the 5th and 6th Respondents, in the interest of the public at large and for the protection of the environment.

The Photographs of the water stagnation at the Premises is enclosed as **Annexure - 11** along with this Affidavit and the same shall be taken on record.



It is most respectfully prayed that this Hon'ble Tribunal may be pleased to take this Affidavit and additional documents on record and pass such further or other orders as this Hon'ble Tribunal deem fit and proper in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai
on this the 27th day of January 2026
having been truly and audibly read over
and explained to the deponent in English
who he understood the same and signed
his name in my presence



BEFORE ME,

P. Pon Gowthaman
(MS. 5240/2022)

ADVOCATE, CHENNAI







