

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

Original Application No. 126 of 2025

BETWEEN:

Ashokan Mani & 2 Ors

...Applicants

AND

Tamil Nadu State Coastal Management Authority & 3 Ors

...Respondents

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Certified that all the above documents are true copies of Originals.

FILED BY:

PLACE: CHENNAI

DATE: 14.10.2025



COUNSEL FOR 4TH RESPONDENT

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

Original Application No. 126 of 2025

BETWEEN:

1. Mr. Ashokan Mani,
S/o. Mani,
No.1248, Ellaiyamman Koil Street,
KanathurReddy Kuppam, Muttukadu,
Chengalpattu, Tamil Nadu- 603112.

2. Mr. Rajesh Selvaraj,
S/o. Selvaraj,
No. 596, MGR Street,
KanathurReddy Kuppam, Muttukadu,
Chengalpattu, Tamil Nadu- 603112.

3. Mr. Mahendran Mani,
S/o. Mani,
No. 1198, Singaravelan Kuruku Street,
KanathurReddy Kuppam, Muttukadu,
Chengalpattu, Tamil Nadu- 603112

...APPLICANTS

AND

1. The Tamil Nadu Coastal Zone Management Authority,
Represented by its Member Secretary No. 1,
JeenisRoad, Panagal Building,
Ground Floor, Saidapet,
Chennai, Tamil Nadu- 600 015.

2. The District Collector,
Chengalpattu, Collectorate,



GST Road, Chengalpattu,
Tamil Nadu- 603 001.

3. Mr. Sherif Salman,
Flat No. 502, 5th Floor,
Vengateshvara Garden,
ECR, Kanathur,
Muttukadu (PO), Chengalpattu,
Tamil Nadu- 603 112.

4. Mr. Mohamed Rizwan Sherif,
Flat No. 502, 5th Floor,
Vengateshvara Garden,
ECR, Kanathur,
Muttukadu (PO), Chengalpattu,
Tamil Nadu- 603 112.

...RESPONDENTS

REPLY FILED ON BEHALF OF THE 4TH RESPONDENT

The 4th Respondent herein most humbly submits as follows:

The address for service of the 4th Respondent is that of his counsel M/s VaRam Legal, Mr. A. Ram Kumar & Mrs. S. Varsha, Advocates having office at C-8, Vembuli Apartments, No. 10/43, South Lock Street, Kotturpuram, Chennai-600 085.

The 4th Respondent herein most humbly submits as follows:

1. At the outset, it is submitted that the present Application is entirely ill-founded and baseless, which is devoid of merits either in law or on facts. The 4th Respondent hereby denies and disputes all the averments, allegations, insinuations and statements made in the present Application, which was made by the Applicants with the sole intention to make wrongful gains and to legalise their encroachment

done by the Applicants on the 4th Respondent's land. Hence, the present Application to be dismissed in limine.

2. The 4th Respondent hereby denies and disputes all the facts stated, contentions raised and grounds urged in the present Application except those which are specifically and unequivocally admitted herein. I further submit that save and except what is specifically admitted herein, no part in the present Application which is not expressly dealt with shall be deemed to be admitted and I crave leave to reply those averments during the course of arguments as may be necessary. The present reply is being filed by the 4th Respondent based on record, true facts and actual circumstances of the case.
3. It is submitted that the 3rd Respondent herein is the father of the 4th Respondent, and had passed away in the year 2019, due to old age. It is further submitted that the 4th Respondent is the absolute owner of the property situated at Survey Nos. 92/3, 92/4, and 92/5 at Kanathur Reddy Kuppam Village, Thiruporur Taluk, Chengalpattu District - 603112, having acquired the same by way of several Settlement Deeds, through the 4th Respondent's mother, Mrs. Razia Sherif.
4. It is submitted that the said, Mrs. Razia Sherif had purchased the said property through several Sale Deeds executed in the year 1980, along with the compound wall situated therein, which is now being disputed and questioned by the Applicants without any basis in fact or law. The said compound wall had been periodically repaired by the 4th Respondent over the years and has now been repaired and reconstructed by the 4th Respondent.
5. It is submitted that during the year 2002, the said, Mrs. Razia Sherif had filed O.S.No. 06 of 2002, before the Learned District Munsif of Chengalpattu, against some encroachers who had trespassed upon



the said property. Subsequently, the Learned District Munsif of Chengalpattu had passed Judgement dated 30.04.2008 in favour of the said, Mrs. Razia Sheriff. It is pertinent to note that the second page of the said Judgement dated 30.04.2008 clearly mentions the existence of the said compound wall. However, the 4th Respondent is presently unable to trace out the supporting documents related to the said O.S.No. 06 of 2002 and produce the same, before this Hon'ble Tribunal. Therefore, the said Judgement dated 30.04.2008 clearly establishes the existence of the said compound wall.

True Copy of the Judgement dated 30.04.2008, in O.S.No. 06 of 2002 passed by the Learned District Munsif of Chengalpattu is annexed herewith and marked as **"ANNEXURE R1"**.

6. It is submitted that since the said compound wall was constructed before 1980 and as mentioned above, was periodically repaired by the 4th Respondent. Furthermore, over the years, the said compound wall had suffered extensive damage due to several natural calamities that occurred in Tamil Nadu, such as the floods in 2015, the 'Vardah Cyclone' in 2016, the 'Gaja Cyclone' in 2018 and the 'Michaung Cyclone' in 2023. Since the said compound wall is located near the seashore and hence, the said compound wall was left in a broken condition, whenever such cyclones hit.
7. It is further submitted that, since the said compound wall was in damaged and broken condition, many anti-social elements were taking place at the 4th Respondent's property inside the said compound wall, which included trespassing, consumption of alcohol, playing cards and other illegal activities by some guys bringing girls inside the 4th Respondent's property and regarding the same the 4th Respondent had lodged several police complaints as well. It is pertinent to note that the said anti-social activities had started only, after the deterioration of the said compound wall.

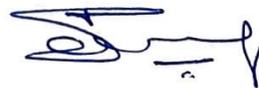


8. It is submitted that the Panchayat Road existed even before the purchase of the said property by the 4th Respondent's mother, the said Mrs. Razia Sherif, in 1980, and runs along with the full stretch of the eastern side of the said property between the sea and the said compound wall and has been commonly used by the villagers to access their village and the graveyard located at the end of the road. Further, due to the above-mentioned anti-social activities, the women and children of the village had faced lots of difficulties. Aggrieved by these activities, the villagers had approached the 4th Respondent and had stated that these activities had never occurred, when the said compound wall was intact. Since, the said compound wall was in a deteriorated state, the said villagers had also expressed their fear that the said compound wall might collapse anytime onto the said Panchayat road, posing a serious threat to the passerby. Thereafter, the said villagers had requested the 4th Respondent to repair and rebuild the said compound wall since, they did not have the money to bear the cost of reconstruction. Hence, considering the safety concerns, interest and repeated request of the said villagers, the 4th Respondent had decided to again carry out the repair and reconstruction work of the said compound wall.
9. It is further submitted that the 4th Respondent being the lawful owner of the property, initiated the said repair and reconstruction work of the said compound wall. However, during the course of the said repairing work, the 4th Respondent was threatened by a group of people from the Kanathur Reddy Kuppam Village, who had demanded for unlawful monies and warned that in case of failure to pay for the same, the said compound wall would be demolished.
10. It is further submitted that, the 4th Respondent had made several genuine attempts to conduct peaceful meetings to amicably resolve the dispute. However, the said villagers blatantly encroached the 4th Respondent's property. It is pertinent to mention that, in view



of the threatening and harmful actions of the said villagers, the 4th Respondent had several times attempted to lodge police complaint. Despite that, the Police official had failed to take any action to protect the rights of the 4th Respondent. Subsequently, the 4th Respondent had no other go and had filed W.P.No. 18321 of 2025, before the Hon'ble High Court of Madras, against the Police officials seeking for the directions to Police Officials to give adequate police protection for the reconstruction of the said compound wall which is pending as on date.

11. It is submitted that, to the utter shock of the 4th Respondent the said few villagers had issued a letter dated 09.06.2025 to the 1st Respondent requesting stoppage of the said repairing work. Subsequently, an inspection was conducted by the Assistant Executive Engineer (AEE) and the Forest Range Officer (FRO) at the said property on 17.06.2025, regarding which the 4th Respondent was neither informed nor prior notice was issued. Thereafter, a Stop order dated 23.06.2025, was issued by the 1st Respondent stating that the 4th Respondent had violated the CRZ Notification, 2011.
12. It is submitted that thereafter, the 4th Respondent had issued a Reply letter dated 09.07.2025 to the 1st Respondent stating that the repairing work was carried out on existing compound wall, which is permissible under CRZ Notification 2011 and had further submitted the Google earth images of the said property, which clearly shows that the existence of the said compound wall. Hence the allegations of the Applicant are questionable.



True Copies of Reply Letter dated 09.07.2025 issued by the 4th Respondent to the 1st Respondent and google earth images are annexed herewith and marked as **"ANNEXURE R2"** and **"ANNEXURE R3"**.

13. It is submitted that in the meanwhile, when the 4th Respondent had received notice regarding the present Application filed by the Applicants and accordingly was trying to engage counsel to contest the same. The 4th Respondent had received an Order dated 23.07.2025 in Proc.No.Efile/883/2025/DOECC/P1 passed by the 1st Respondent, directing the 4th Respondent to remove the said compound wall and to restore the repaired structure to its original condition at the said property, despite the repair work having been carried out on an existing compound wall, which is permissible under the CRZ Notification, 2011. However, the said Order dated 23.07.2025 was passed by the 1st Respondent without conducting any proper enquiry and is practically impossible to comply with, and was passed without considering the submissions and representation made by the 4th Respondent before the 1st Respondent during the hearing on 18.07.2025, along with the said Reply letter dated 09.07.2025 enclosing the Google earth images of the said property. Based on an assumption, the said Order dated 23.07.2025 was issued that no compound wall was existed, although, in reality there did exist a compound wall for over 45 years, which was only periodically repaired and reconstructed and the latest repair was carried out by the 4th Respondent for the aforesaid bonafide reasons.

True Copy of the Order dated 23.07.2025 Proc.No.Efile/883/2025/DOECC/P1 passed by the 1st Respondent to the 4th Respondent is annexed herewith and marked as **"ANNEXURE R4"**.



14. It is submitted that the 4th Respondent is in the process of approaching trying to approach before an appropriate forum to seek his legal remedies. As the present Application has been filed by the Applicants, is without proper application of mind and a clear misuse of law.
15. With respect to the various allegations made in the present Application, it is submitted as follows:
In reply to Paragraph No. 1, it is submitted that the statements made therein are false and baseless as refuted in detail in the paragraph nos. 3 to 9 hereinabove. It is further submitted that as per the Notification No. 8 (III)(ii) of the Coastal Regulation Zone Notification, 2011, it is stated that "*no new construction is permitted within the No-Development Zone except for repairs or reconstruction of the existing authorised structures.*" Hence, it is clear that the 4th Respondent has not violated the said CRZ Notification, 2011 and has only carried out repair and reconstruction work on the existing compound wall, which has been in existence prior to 1980 and has been periodically repaired over the years.
16. In reply to Paragraph Nos. 2, 3 and 4, it is submitted that the statements made therein are false and misleading. As refuted above in detail in the paragraph no. 10 hereinabove, the said group of people had threatened the 4th Respondent. Further, during the visit of the Revenue Authorities at the said property, the repairing and reconstruction work were on hold and hence the claim of the Applicants is baseless and devoid of merits. It is apparent to mention that in the present Application, the Applicants being fully aware, have included the 3rd Respondent, who had passed away 6 years ago. Therefore, it is clear that the Applicant's intention is to harass the 4th Respondent.



17. In reply to Paragraph Nos. 5, 6, 7, 8 and 9, it is submitted that the statements made therein are frivolous and false. On 17.06.2025, the AEE and the FRO had come for an inspection at the 4th Respondent's property, without issuing prior notice, when the 4th Respondent was not there. Further the said AEE and FRO had failed to note that the existing portion of the compound wall had been constructed decades ago and it was only repaired and restructured. Thus, no consequences can be drawn against the 4th Respondent based on the said inspection.
18. In reply to Paragraph No. 10, it is submitted that the statements made therein are vehemently denied as false and frivolous. It is further submitted that after receiving the Stop Order dated 23.06.2025, no repair work was carried out by the 4th Respondent.
19. It is submitted that the Applicants had filed the present Application, along with a letter dated 30.06.2025 (marked as Annexure A1), which was issued to the Tahsildar, Thiruporur Taluk, requesting for parking arrangements of the Applicants' boats at the 4th Respondent's property. Hence, it is clear that the Applicants themselves had admitted in the said letter dated 30.06.2025 that the said property belongs to the 4th Respondent. However, the Applicants have filed the present Application claiming that the said compound wall was never existed and the 4th Respondent is attempting to construct a new compound wall, which has now been the crux of the issue. But in reality the Applicants have an interest in the said property of the 4th Respondent.
20. In reply to Paragraph Nos. 11, 12 and 13, it is submitted that the statements made therein are frivolous and baseless as refuted above in detail in paragraph nos. 3 to 9 hereinabove. It is further submitted that the Applicants are known as habitual encroachers, troublemakers trespassers and are with highly influential both financially and politically. The present Application has not been filed



by the Applicants in public interest and the claim of the Applicants that they are representing the interest of the entire Kanathur ReddyKuppam village is completely false. Therefore, the Applicants had approached this Hon'ble Tribunal with unclean hands and an ulterior motive to use the 4th Respondent's property for parking the Applicant's boats, to defame the 4th Respondent and to extort monies from the 4th Respondent.

21. It is further submitted that based on the facts and circumstances of the present Application, the nature seems to be that of a civil dispute and contains no merit. Hence, the present Application has not been filed by the Applicants before a correct forum and have been filed solely with malafide intent.

22. In light of the above submission, it is submitted that the 4th Respondent had obediently followed all the directions issued by the concerned authorities, whenever such orders were served. Further, the 4th Respondent had undertook the repair of the existing compound wall, in order to protect his property and further acted upon the request of the villagers considering their interest, who were troubled by harassment and unwanted nuisance, especially women and children. The present Application is filed with greedy intentions of acquiring the 4th Respondent's property for their boat parking and personal use. Even though the said repair and reconstruction of the said compound wall was as per the said CRZ Notification, 2011, the 4th Respondent has been harassed and threatened. Therefore, passing any order in favour of the Applicants in the present Application would result in grave prejudice and irreparable harm to the 4th Respondent.

WHEREFORE, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the Application with exemplary costs and pass such other orders as it may deem fit and necessary in the facts and circumstances of the case and thus render justice.


4th RESPONDENT
COUNSEL FOR 4th RESPONDENT**VERIFICATION**

I, Mohamed Rizwan Sherif, S/o. Late Mr. Sherif Salman aged about 36 years, residing at Flat No. 502, 5th Floor, Vengateshvara Garden, ECR, Kanathur, Muttukadu (PO), Chengalpattu- 603 112, the 4th Respondent herein, do hereby affirm that all that is stated in the above- mentioned paragraphs are true to the best of my knowledge, information and belief.

Verified at Chennai on this ^{10th} Day of ~~September~~ ^{October}, 2025.


4th RESPONDENT

In the court of the District Munsif of Chengalpattu
 Present: Tmt. S. Mohanakumari, M.A., B.L., District Munsif
 Wednesday, the 30th day of April 2008

O.S.No.6/02

Razia sheriff

..Plaintiff

Vs.

1. Karunakaran
2. Kamalakannan

(2nd defendant's name has been amended as per order in
 I.A.214/02 dt.15.2.2002)

..Defendants
 final

This suit is coming before me for/hearing on ~~xxxx~~
 16.4.2008 in the presence of Thiru P.N.Krishnan,
 Thiru E.Nannakumar counsels for the plaintiff and of
 Thiru K.S.Anbalagan counsel for the 2nd defendant
 and the 1st defendant called absent set ex parte and upon
 hearing the arguments of both sides and upon perusing the
 entire case records and having stood over for consideration
 till this day this court delivered the following

JUDGMENT

suit for permanent injunction restraining the defendants,
 their men, agents, servants or nominees from interfering with the
 plaintiff's peaceful possession and enjoyment of the suit
 properties and for cost.

2. Plaint averments runs as follows:

Plaintiff is the absolute and exclusive owner of
 the suit item. She has purchased the suit item No.1 under a
 registered sale deed dt.26.2.80 for Rs.1000/- from Nallamuthu
 Chettiar Vagaliyara. By virtue of purchase, the vendor delivered
 possession of suit item No.1 to plaintiff and since then she
 has been in possession ~~of xxxxxxxxxx~~ and enjoyment of the same

in her own right as absolute owner. Prior to purchase by plaintiff, her vendor owned and possessed suit item No.1 as their ancestral property. for several decades. The plaintiff purchased suit item No.2(a) from Kannayiram Vagaiyara for Rs.1860/- under a registered sale deed dt.21.7.80. She has also purchased suit item 2(b) under a registered sale deed dt.14.7.80 for Rs.1800/- from Chakrapani vagaiyara and the ~~xxx~~ vendors delivered possession of suit item 2(a) and (b) and since then the plaintiff has been in possession and enjoyment of the same. Prior to plaintiff's purchase, her vendors were ~~x xxx~~ owning the properties as their ancestral property. The plaintiff purchased ✓ suit item No.3 from Muthumanicka Vagaiyara under a registered sale deed dt.14.7.80 for Rs.1920/- Eventhough sale deed contains 0.64 cents, there is only 0.40 cents available on ground. It was surrendered to plaintiff by her vendor by virtue of the sale deed. Since then the plaintiff has been in possession and enjoyment of suit item No.3. Prior to plaintiff's purchase her vendor owned the property as his ancestral property. The plaintiff purchased suit item No.4 under a registered sale deed dated 8.8.80 from Munusamy Chetty s/o.Muthukumara Chettiar for a sum of Rs.1830/-. The plaintiff's vendor surrendered possession to plaintiff by virute of sale deed and since then the plaintiff has been in possession and enjoyment of the same. Prior to plaintiff's purchase, her vendor owned the property as his ancestral property. The plaintiff has put up compound wall with stone boulders, besides barbed wire fencing around the suit property as shown in the rough sketch filed with the plaint. There are standing palmyrah trees forming on the uniaterrupted

3 possession and enjoyment of the suit ¹property by plaintiff, patta No.207 was granted to plaintiff for the entire suit property. The plaintiff owns S.No.87/2A & 3.77.0 Hec to the immediate west of suit item No.1 having purchased by her ^{xxx enclosed} under a registered sale deed dt.25.2.1980. she has ~~xxxxxx~~/this item with barbed wire fencing. The plaintiff has been reaching East-cost road on the west by passing through S.No.87/2A In any event the ~~plaintiff~~ plaintiff has prescribed title by adverse possession also. The defendants are not having any right or interest over the suit property. Taking undue advantage of the fact that she is resident of Madras, the defendants have been attempting to trespass upon the suit property. One such attempt was made on 18.12.2001. The plaintiff ~~xxx~~ through her manager lodged a complaint before S.I. of police Neelankarai and the defendants were warned by the police not to repeat their attempt over the suit property. Unless the defendants are enjoined by means of injunction they will repeat their high handed and illegal act ¹for which they are not entitled to do so. If the defendants are allowed to trespass upon the suit property, it will lead to multiplicity of proceedings besides resulted in substantial loss and hardship to the plaintiff Hence the suit.

2. 1st defendant called absent set exparte.

4. 2nd defendant filed written statement.

Averments of written statement of 2nd defendant

runs as follows:

The suit is not maintainable in law. The 2nd defendant denied that the various alleged purchases made by the plaintiff, the mode of enjoyment alleged, plaintiff vendors title and

possession, the alleged use and enjoyment and alleged fencing etc are all ~~XXXXXXXXXXXXXXXXXXXX~~ denied by the 2nd defendant. The 2nd defendant is concerned with suit item 2(a) S.No.92/3 0-62 cents. ~~It is denied by the 2nd defendant that~~ the alleged purchase by the plaintiff with regard to the suit item and the alleged sale deed dt.21.7.1980 ^{are fake and in contract} This 2nd defendant's name is Kamalakannan. The plaintiff with the help of her ^{for} partition brought about a sale deed as if the 2nd defendant executed the sale deed by name ^{Kannala} ~~Kannanathan~~. The 2nd defendant did not execute the any sale deed with regard to the suit item. The property kept ~~XXXXXX~~ uncultivated and vacant and is in possession and enjoyment of the ~~X~~ 2nd defendant as owner thereof. Under the guise of the invalid sale deed the plaintiff alleged to have been obtained ~~XXXXXXXXXX~~ revenue records like patta etc will not cloth her any valid title or possession. It is only the plaintiff attempted to take possession under the guise of the invalid sale deed. There is no cause of action for the suit. There is no merit in the plaint and therefore the 2nd defendant prays this court to dismiss the suit.

4. The following issues were framed by my predecessor

1. Whether the plaintiff is entitled for the relief of permanent injunction as prayed for?
2. To what other relief?

5. On these issues:

On the side of the plaintiff, plaintiff's husband was examined as P.W.1 ~~XXXXXX~~ and Ex.A.1 to Ex.A.10 were marked through him. Ex.A.11 and Ex.A.12 were marked through D.W.1 during ^{recalled and} cross. Again P.W.1 examined ~~xx~~ further examined in chief, Ex.A.13 to A.15 were marked. On the side of the defendants,

~~XXXXXXXXXXXX~~

2nd defendant was examined as D.W.1 and no exhibits were marked.

6. Issue No.1:

Whether the plaintiff is entitled for the relief of permanent injunction as prayed for?

Case of the plaintiff is that the plaintiff is the absolute and exclusive owner of the suit item. She has purchased the suit item No.1 under a registered sale deed dt.26.2.80 for Rs.1000/- from Nallamuthu/chettiar Vagaiyara. By virtue of purchase, the vendor delivered possession of suit item No.1 to plaintiff and since then she has been in possession and enjoyment of the same in her own right as absolute owner. Prior to purchase by plaintiff, her vendor owned and possessed suit item No.1 as their ancestral property for several decades. The plaintiff purchased suit item No 2(a) from Kannayiram Vagaiyara for Rs.1860/- under a registered sale deed dt.21.7.80. She has also purchased suit item 2(b) under a registered sale deed dt.14.7.80 for Rs 1800/- from Cgakrapani Vagaiyara and the vendors delivered possession of suit item 2(a) and (b) and since then the plaintiff has been in possession and enjoyment of the same. Prior to plaintiff's purchase, her vendors were owning the properties as their ancestral property. The plaintiff purchased suit item No.3 from Muthumanicka Vagaiyara under a registered sale deed dt.14.7.80 for Rs.1920/-. Eventhough sale deed contains 0.64 cents, there is only 0.40 cents available on ground. It was surrendered to plaintiff by her vendor by virtue of the sale deed. Since then the plaintiff has been in possession and enjoyment of suit item No.3. Prior to plaintiff's purchase her

6 vendor owned the property as his ancestral property. The plaintiff purchased suit item No.4 under a registered sale deed dt.8.8.80 from Munusamy Chepty S/o.Muthukumara Chettiar for a sum of Rs.1830/-. The plaintiff's vendor surrendered possession to plaintiff by virtue of sale deed and since then the plaintiff has been in possession and enjoyment of the same. Prior to plaintiff's purchase, her vendor owned the property as his ancestral property. The plaintiff has put up compound wall with stone boulders, besides barbed wire fencing around the suit property as shown in the rough sketch filed with the plaint. There are standing palmyrah trees forming on the uninterrupted possession and enjoyment of the suit property by plaintiff, patta No.207 was granted to plaintiff for the entire suit property. The plaintiff owns S.No.87/2A 3.77.0 Hec to the immediate west of suit item No.1 having purchased by her under a registered sale deed dt.25.2.1980. She has been reaching east-coast road on the west by passing through S.No.87/2A. In any event the plaintiff has prescribed title by adverse possession also. The defendants are not having any right or interest over the suit property. Taking undue advantage of the fact that she is resident of Madras, the defendants have been attempting to trespass upon the suit property. One such attempt was made on 18.12.2001. The plaintiff through her manager lodged a complaint before S.I. of police Neelankarai and the defendants were warned by the police not to repeat their attempt over the suit property. Unless the defendants are injuncted by means of injunction they will repeat their high handed and

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illegal act for which they are not entitled to do so. If the defendants are allowed to trespass upon the suit property, it will lead to multiplicity of proceedings besides resulted in substantial loss and hardship to the plaintiff. Hence the suit.

The case of the 2nd defendant is that the 2nd defendant is concerned with suit item 2(a) S.No.92/3 0-62 cents. It is denied by the 2nd defendant that the alleged purchase by the plaintiff with regard to the suit item and the alleged sale deed dt.21.7.1980. 2nd defendant's name is Kamalakannan. The plaintiff with the help of her partition ^{bro} brought about a sale deed as if the 2nd defendant executed the sale deed by name Kamalanathan. The 2nd defendant did not execute ~~the~~ any sale deed with regard to the suit item. The property kept uncultivated and vacant and is in possession and enjoyment of the 2nd defendant as over thereof. Under the guise of the invalid sale deed the plaintiff alleged to have been obtained revenue records like patta etc will not cloth her any ~~xx~~ valid title or possession. It is only the plaintiff attempted to take possession ~~xxx~~ under the guise of the invalid sale deed. There is no cause of action for the suit. There is no merit in the plaint and therefore the 2nd defendant prays this court to dismiss the suit.

In order to prove the plaintiff's case Ex.A.1 to Ex.A.15 were marked. Ex.A.1 to Ex.A.5 are sale deeds. Ex.A.6 is Rough sketch. Ex.A.7 is patta Ex.A.8 is the kist receipt. Ex.A.9 and 10 are o/c of police complaint and C.S.R. F.M.B. sketch has been marked as Ex.A.14. Ex.A.15 is the ^{all} Adangal extract. This court perused/the exhibits clearly.

-8- only

The 2nd defendant's defence with suit item 2(a) S.No.92/3 0-62 cents ~~only~~ and there is no dispute with other items of the suit property. The 1st defendant ^{not} set ^{analyse} ~~exparte~~ in this case. In this circumstances there is no need to ~~analyse~~ ^{analyse} the possession of the suit property with respect to the suit items 1 (i), (ii); 2(b); 3 & 4. But the plaintiff ~~is~~ categorically proved their possession and enjoyment with respect to ~~the~~ ^{1(i),} the suit items ~~2(a),~~ (ii); 2(b); 3 & 4 by marking Ex.A.1, ~~Ex.A.2, Ex.A.3, Ex.A.4, Ex.A.5, Ex.A.6, Ex.A.7, Ex.A.8 and Ex.A.15.~~ Moreover, the plaintiff proved ~~his~~ ^{documentary} her case by stating that the Ex.A.2 did not executed by the 2nd defendant and the the properties in Ex.A.2 are not in possession and enjoyment of the 2nd defendant at any time and the Ex.A.7 patta, revenue record is also stands in the name of the plaintiff with respect to the item No.2(a) property, the property of Ex.A.2. On the other hand, the 2nd defendant did not stated anything about the suit item 2(a) whether it is an ancestral property or it is a self acquired property and also he did not produce any oral or documentary evidence to prove his contention ^{not} as he is in possession and enjoyment of the above said property as owner as he contented in the written statement. Accordingly the 2nd defendant failed to prove his contention, ^{where as the plaintiff} ~~proved her title and possession with respect to all items including item no 2(a)~~ Based on the above said discussion this issue is answered in favour of the plaintiff as against the defendants and thereby the defendants, their men, agents, servants or nominees ~~be and~~ are hereby restrained by means of permanent injunction from interfering with the plaintiff's peaceful possession and ~~his~~ enjoyment of the suit properties. ~~and for cost.~~

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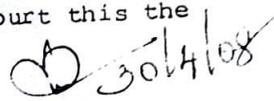
7-Issue No.2

To what other relief?

In view of the findings arrived in issue No.1 this issue is also answered in favour of the plaintiff as against the defendants and thereby the defendants, their men, agents, servants or nominees be and are hereby restrained by means of permanent injunction from interfering with the plaintiff's peaceful possession and enjoyment of the suit properties. ~~XXXXXXXXXX~~

8. In the result, suit is decreed and thereby the defendants, ~~and~~ their men, agents, servants or nominees be and are hereby restrained by means of permanent injunction from interfering with the plaintiff's peaceful possession and enjoyment of the suit properties. No cost.

Typed to my dictation directly by the stenotypist corrected and pronounced by me in open court this the 30th day of April 2008.


District Munsif,
Chengalpattu

Plaintiff's side Exhibits

- Ex.A.1/26.2.1980 Registered sale deed by Nallamuthu vagaiyara to plaintiff for Rs.1000/-
- Ex.AA.2/21.7.80 Registered sale deed by Kannayiram vagaiyara to ~~xxxxxx~~ plaintiff for Rs.1360/- relating to item 2(a)
- Ex.A.3/14.7.80 Registered sale deed by Muthumanicka vagaiyara to plaintiff for Rs.1920 relating to item No.3
- Ex.A.4/14.7.80 Registered sale deed by Chakrapanivagaiyara to plaintiff for Rs.1800/- relating to item 2(b)
- Ex.A.5/18.8.80 Registered sale deed by Munusamy chetti to plaintiff for Rs.1830/- relating to su't item No.4

Ex.A.6/---Rough sketch

Ex.A.7/19.5.2003 Patta No.207 stands in the name of plaintiff

Ex.A.8/1.9.01 Kist receipt

Ex.A.9/18.12.01 o/c of police complaint

Ex.A.10/18.12.01 C.S.R.

Ex.A.11/--photo copy with receipt

Ex.A.12/--Digital photo copy

Ex.A.13/-- -do-

Ex.A.14/27.3.08 FMB sketch

Ex.A.15/8.4.08 Adangal extract

Plaintiff's side witness

Sherif
P.W.1/~~Shanmuga~~ s/o.Moideen sherif

Defendants' side Exhibits Nil

Defendants' side witness

D.W.1/Kamalakaran

30/4/08
DM, CPT

140/5
Total Pages : 10
Corrections : ml
Initial : [Signature]
Examined by : N. [Signature]



Certified Xerox Copy
CSC [Signature] ICA
Superintendent of Copy etc.
Principal District Court,
Chengalpattu.

G. NO: 5238/2008
OS NO: 6/2002
THIRU. P. KRISHNAN
ADVOCATE FOR
Plaintiff

**DISTRICT AND SESSIONS COURT
CHENGALPATTU.**

Application made on 21.7.2008
Court fee called for on 22.7.2008
Court fee deposited on 25.7.2008
Copy filed, on ... 1.8.2008
Copy Delivered on 1.8.2008

Col. D. A. C.
Copyist Superintendent

23 ANNEXURE -R 2

09.07.2025

To,
Mr. A.R.Rahul Nadh
Member Secretary, TNSCZMA
Director - Department of Environment & Climate Change.

From,
Mohamed Rizwan Sherif,
12/23, Spur Tank Road,
Chetpet,
Chennai - 600 031.

Sub: Reg Proc.No.Efile.DOECC / 883 / 2015 / P1-2, dt:26.06.2025

Hope you're doing well. It has come to my understanding that there was a notice from your office put up on my land bearing survey number 92/3, 92/4 & 92/5. I would like to bring to your notice that this land was purchased by my mother (Mrs. Razia Sherif) in the year 1980 and the compound wall on the property has been existing since the purchase.

This property was maintained by my Late father Mr. Sherif Salman, but after the demise of my father in 2019 and due to the old age of my mother this property was gifted to me by my mother in the year 2021.

Due to a natural calamity such as floods around the year 2018-19 bits and parcels of my compound wall were damaged and since then my sole intension was to redo the patchworks and make sure the present compound wall is not fallen which was present since the purchase of this property in 1980. There is also a concrete road laid by the panchayat years back on the full stretch of the eastern side of my property and a lot of people use that road and sit by the side of the temple which is on the eastern side of my property. There was always a dangerous situation of the compound wall falling on the people, road or the temple side.

Whenever I have approached to patchwork the compound wall I have been threatened by the local villagers saying they will demolish the entire compound wall and utilise this property for their personal use. The villagers then started entering my property in groups and utilised it for drinking alcohol & playing cards. During the nights they enter as couples for illegal activities in my property. The trees present in my land were also cut down by them to show their physical power. I have met with the villagers many times to stop trespassing into the patta property, but always going in vain.



As time passed, whenever I visit the property and find locals sitting in my property I approach them to move out from the property but they come to me and harass me for money to be paid to them if they have to go out. Honestly sir, this has been a nightmare to handle.

Eventually, after many meetings with the villagers they had pressurised me to give them an access from my property and I was forced to agree with them as I had no other choice. The agreement was for a 15 feet passage to be given to the village which is roughly about 3,750 sq.ft from my patta land.

After the demise of my father I'm the only bread earner of my family and have always carried forward myself as an honest and a law abiding citizen of India.

Respected Sir, I would like to attach a few documents for your reference

1. Sale deed of Mrs. Razia Sherif along with Patta copy which was purchased in the year 1980.
2. Settlement deed along with Patta copy of myself (Mohamed Rizwan Sherif), which was gifted to me by my mother in 2021.
3. Google Earth images of this property which has a compound wall from past years (I have pinned in blue where the compound wall is for your reference).
4. Pictures of the compound wall.
5. Pictures of trees in this property (these trees were taken down by the villagers).

I hope this response is satisfactory to your notice and I'm willing to cooperate in any further queries required by your good self or visit your office.

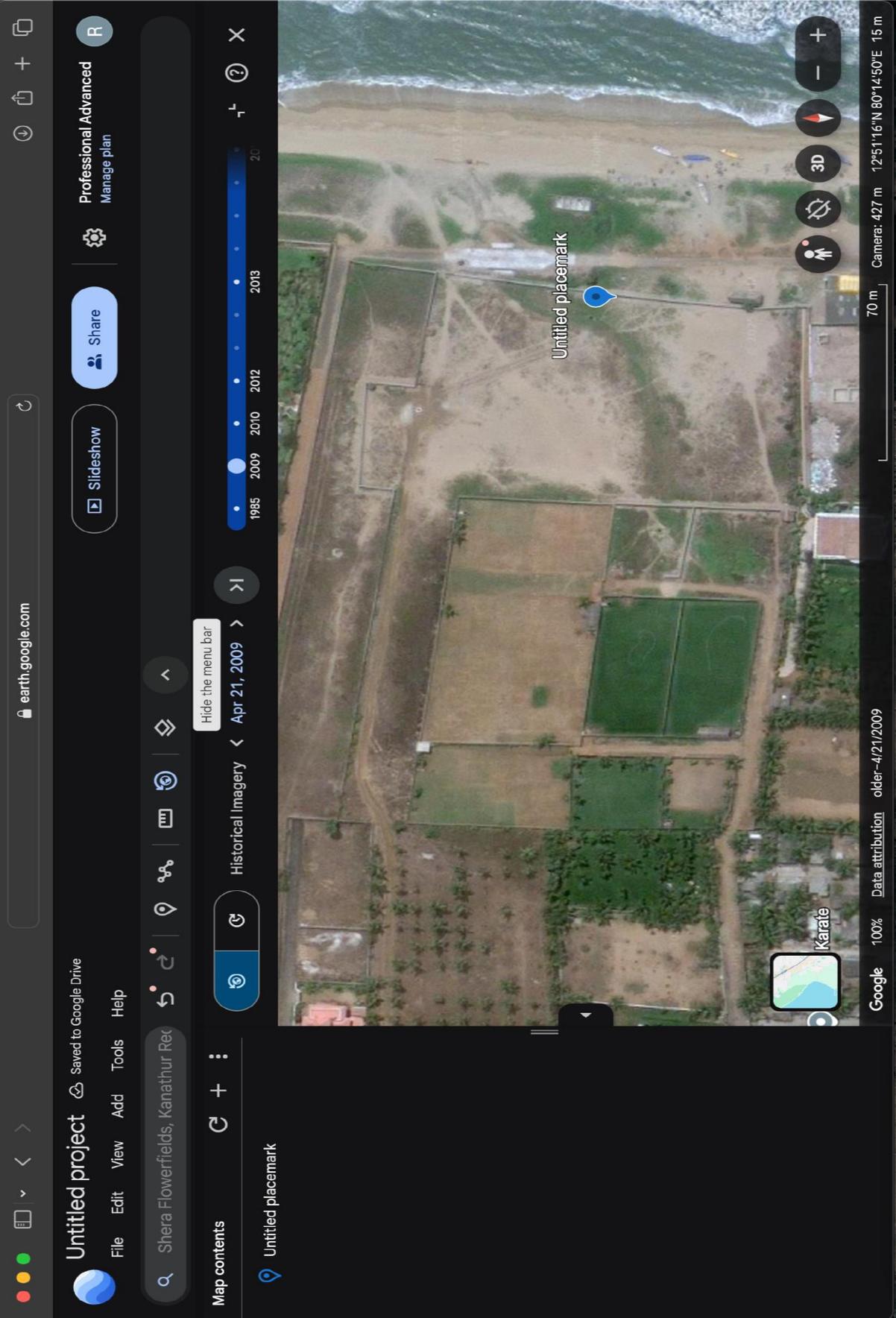
Thanking You,

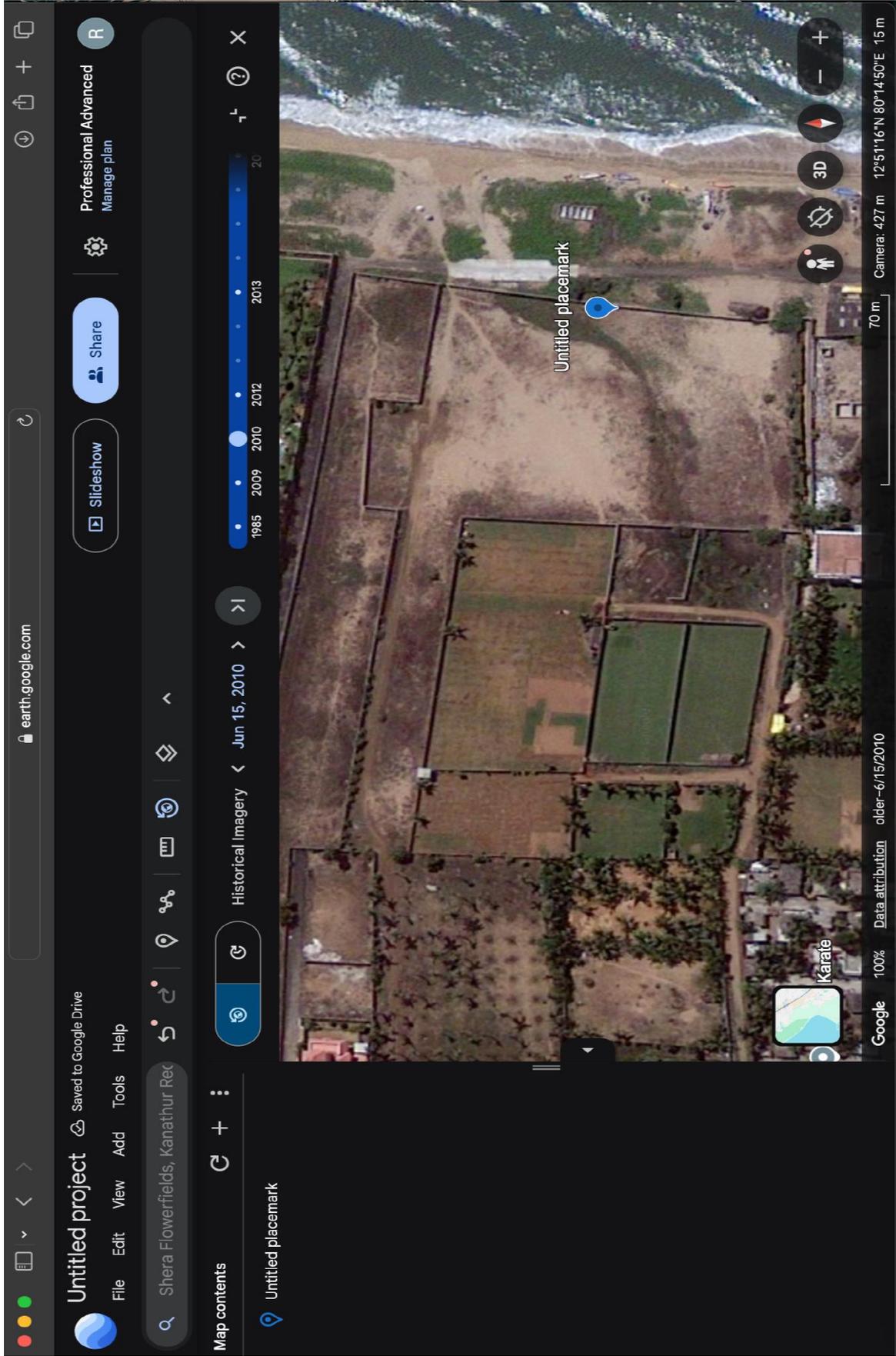


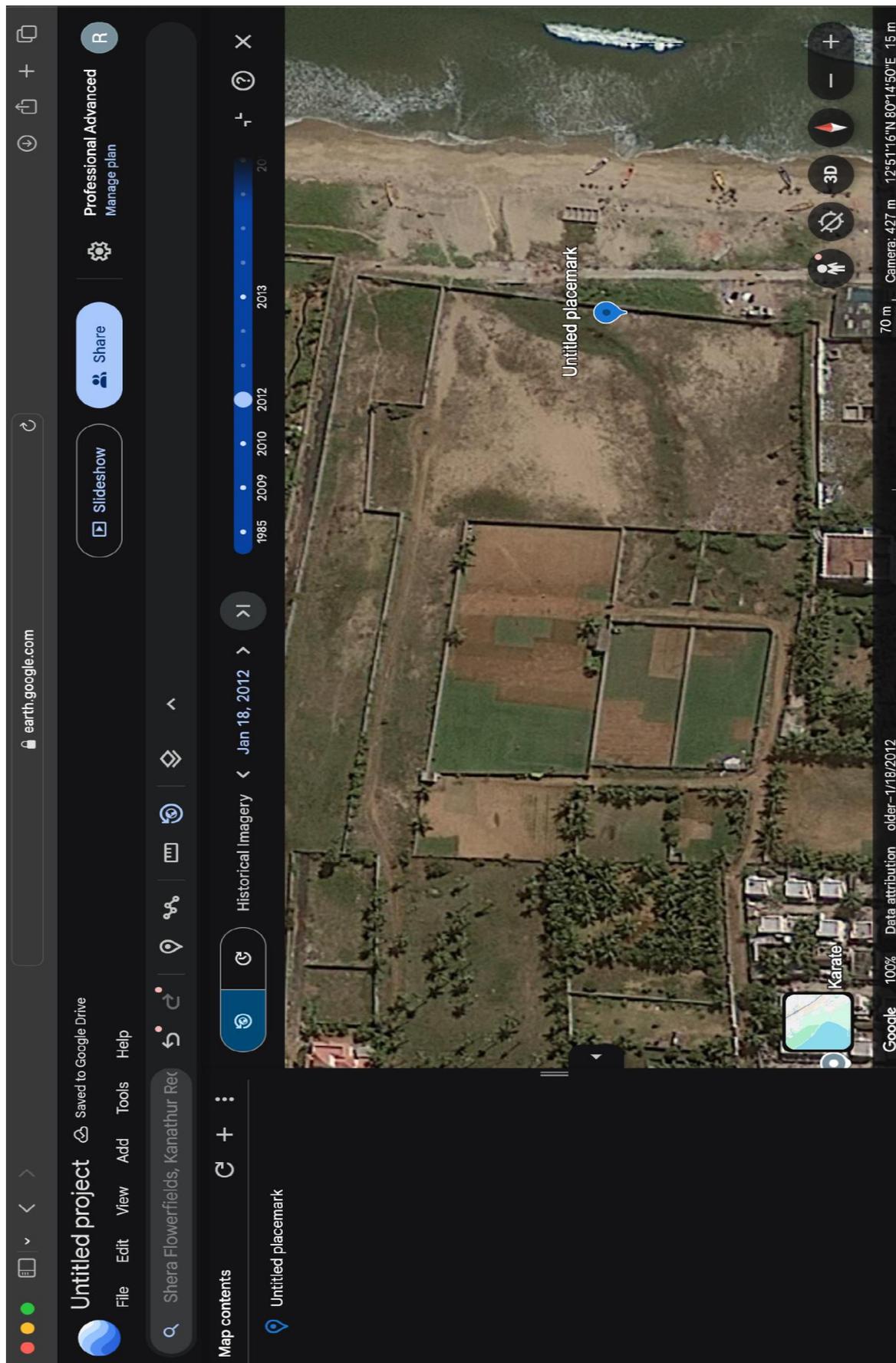
Mohamed Rizwan Sherif.

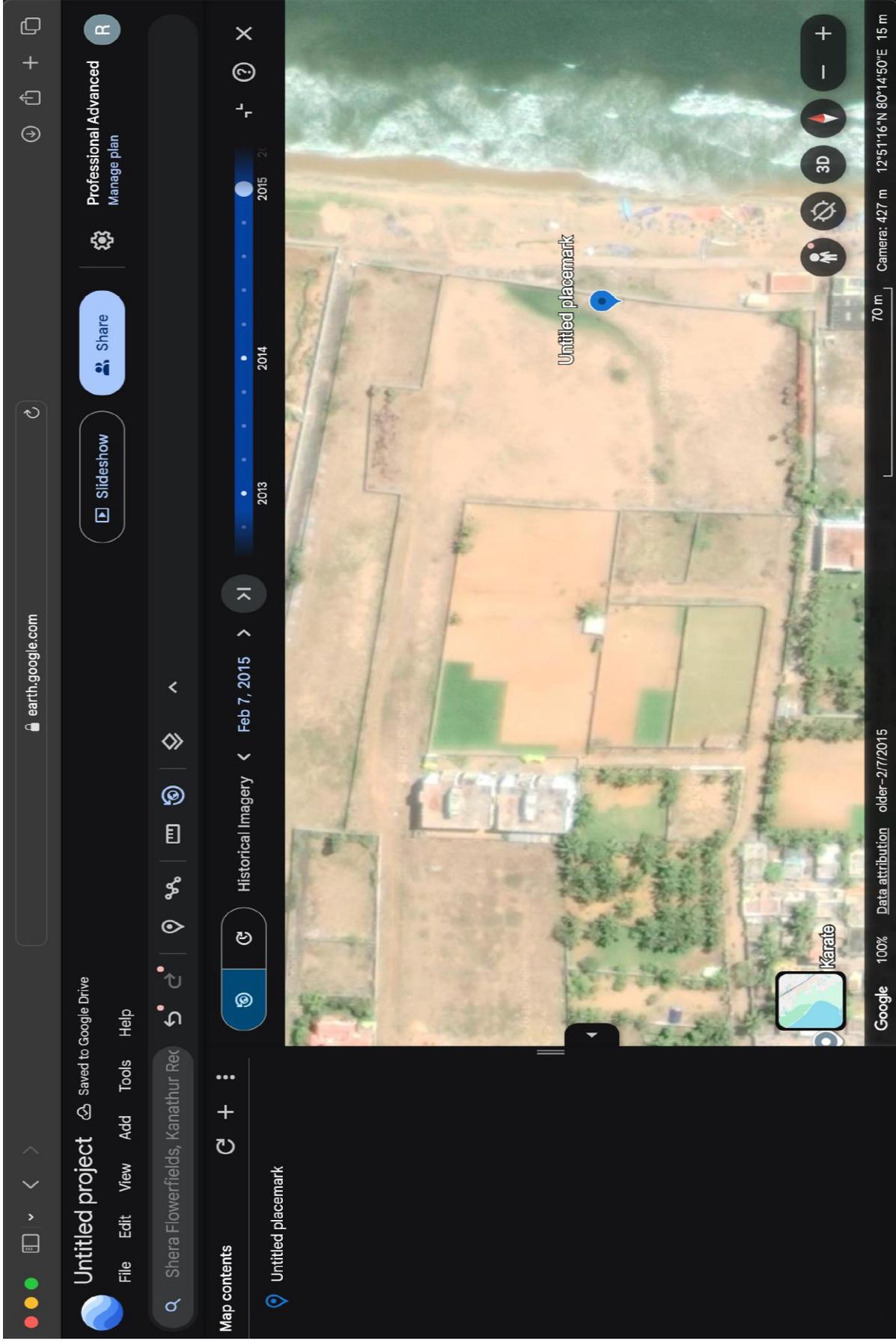


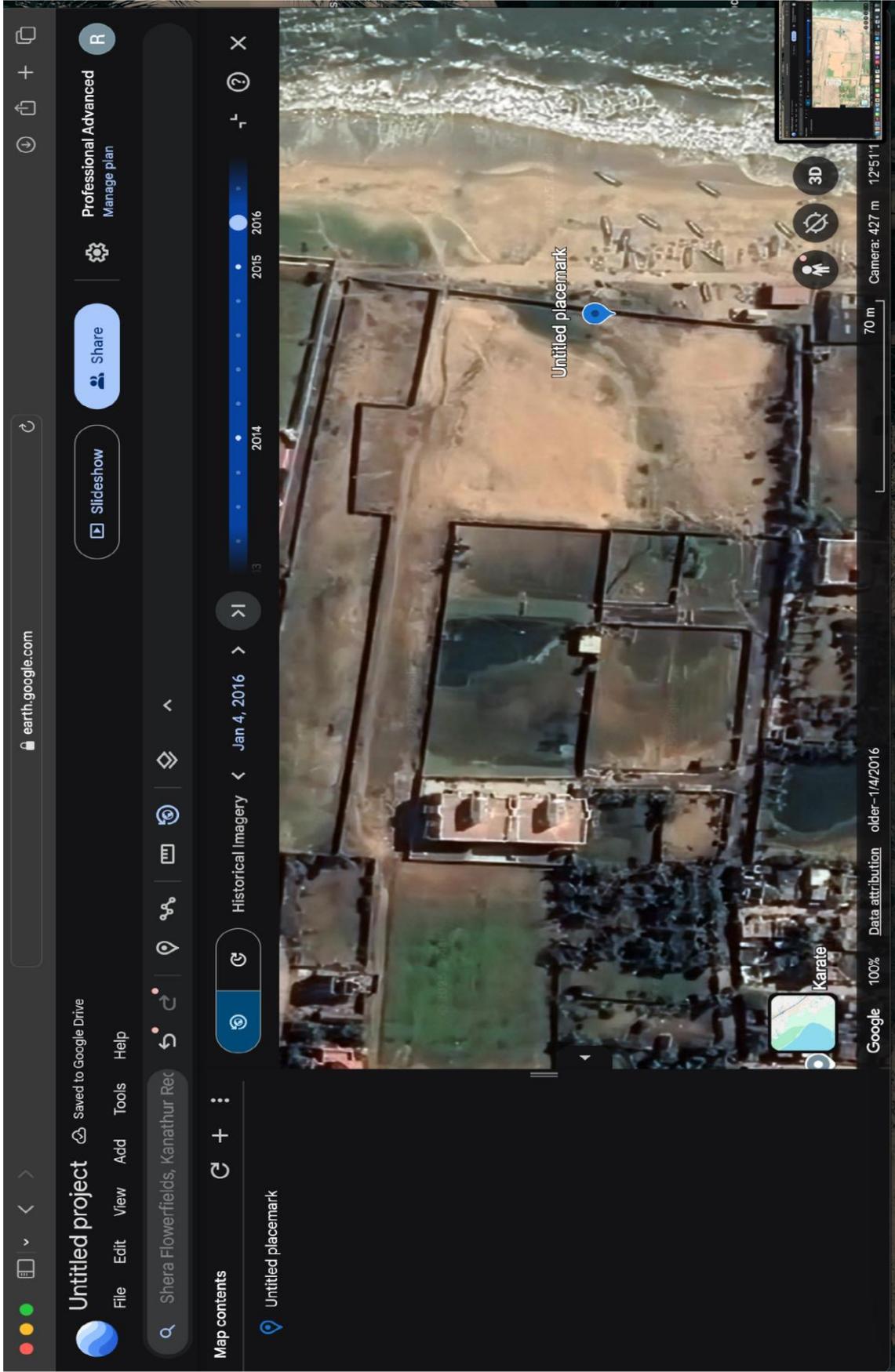
25 ANNEXURE R 3

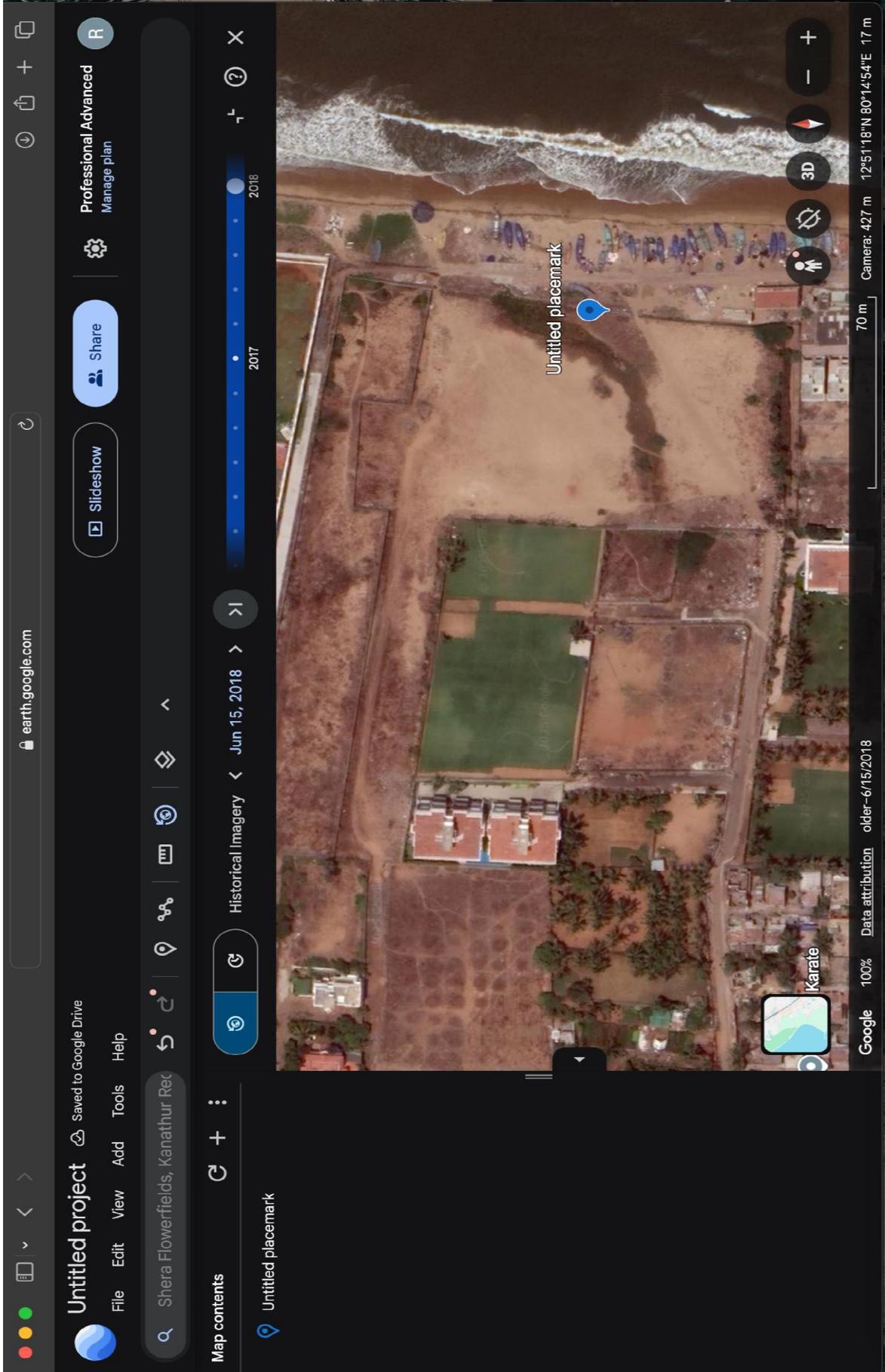


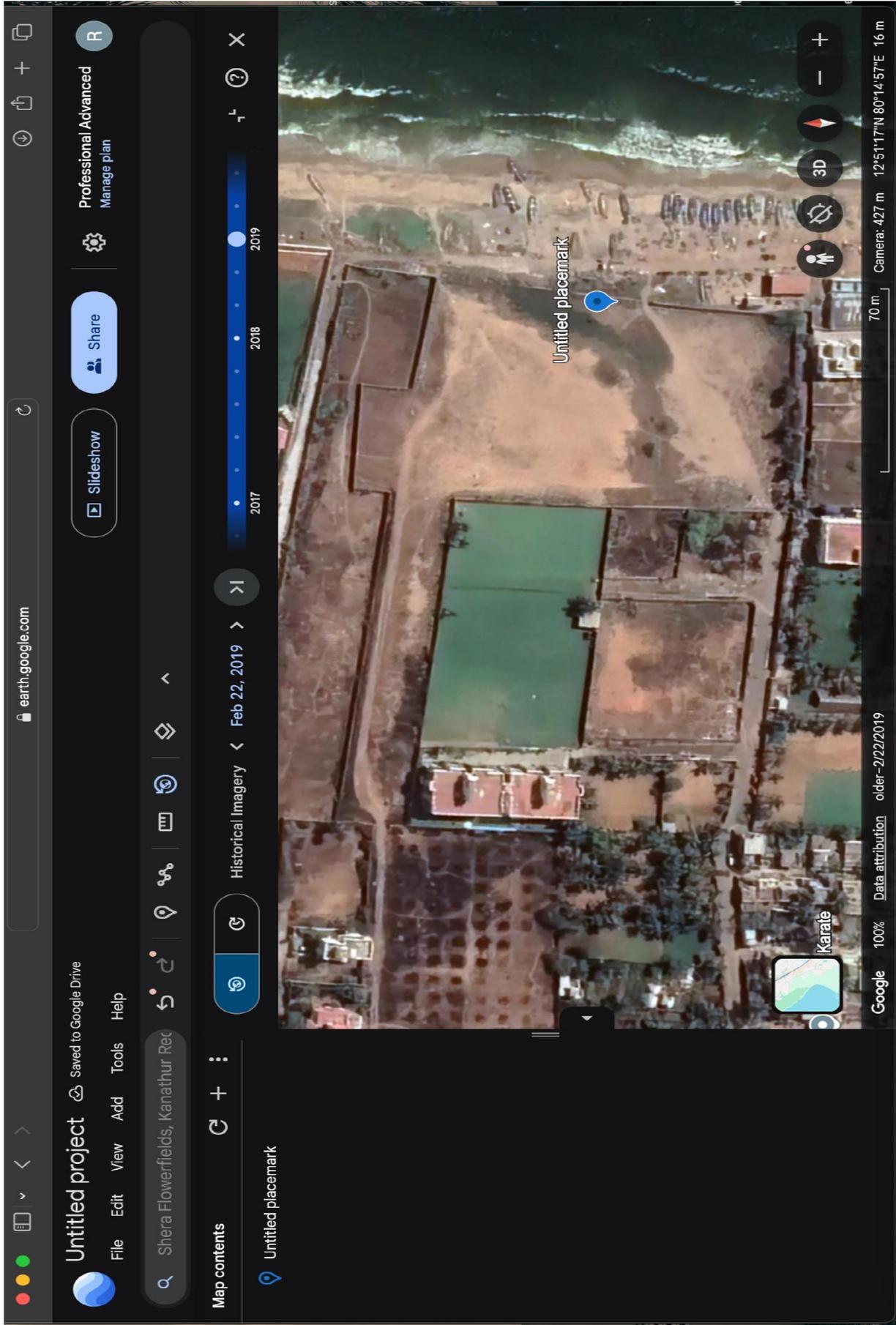


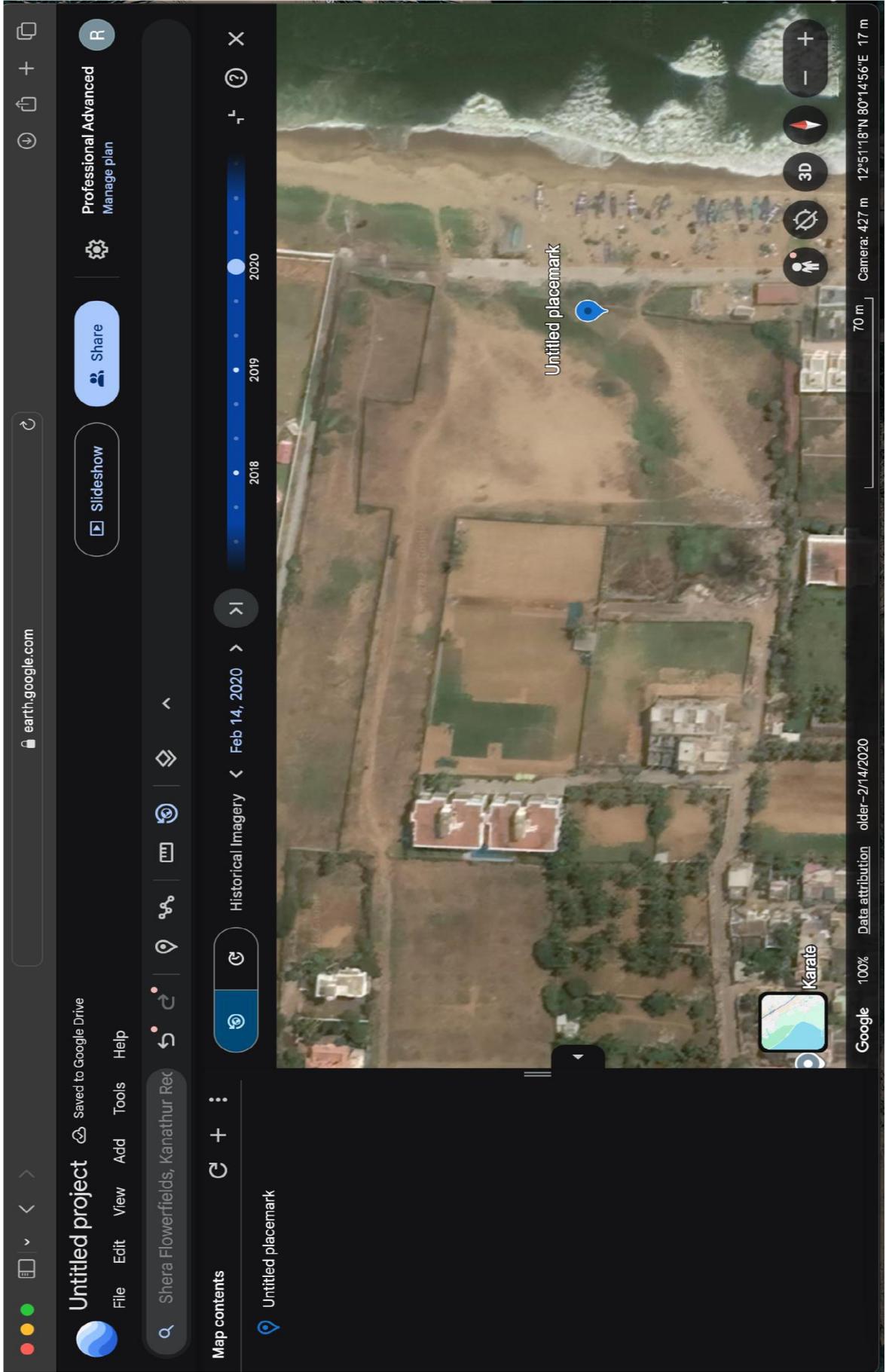


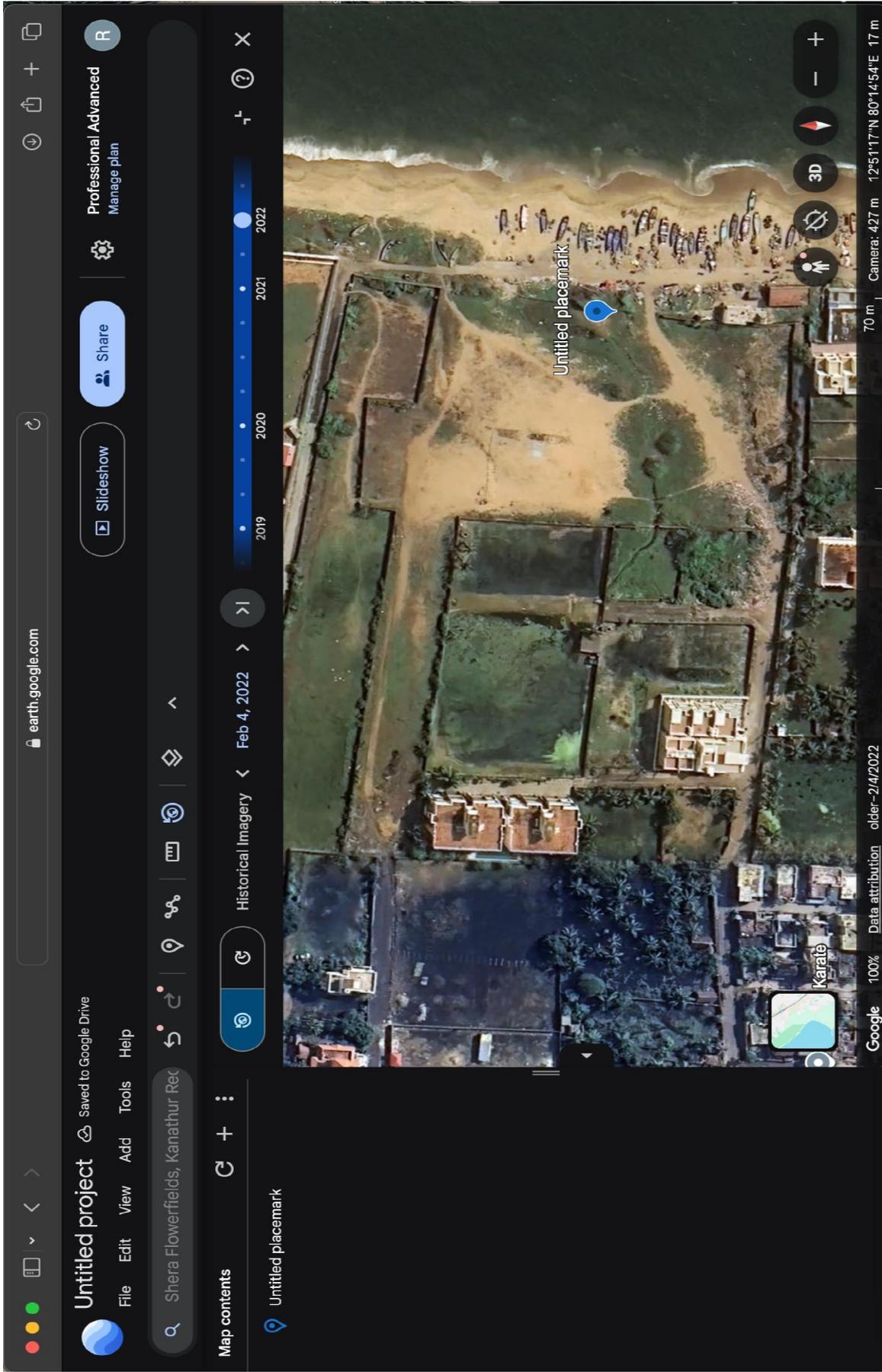


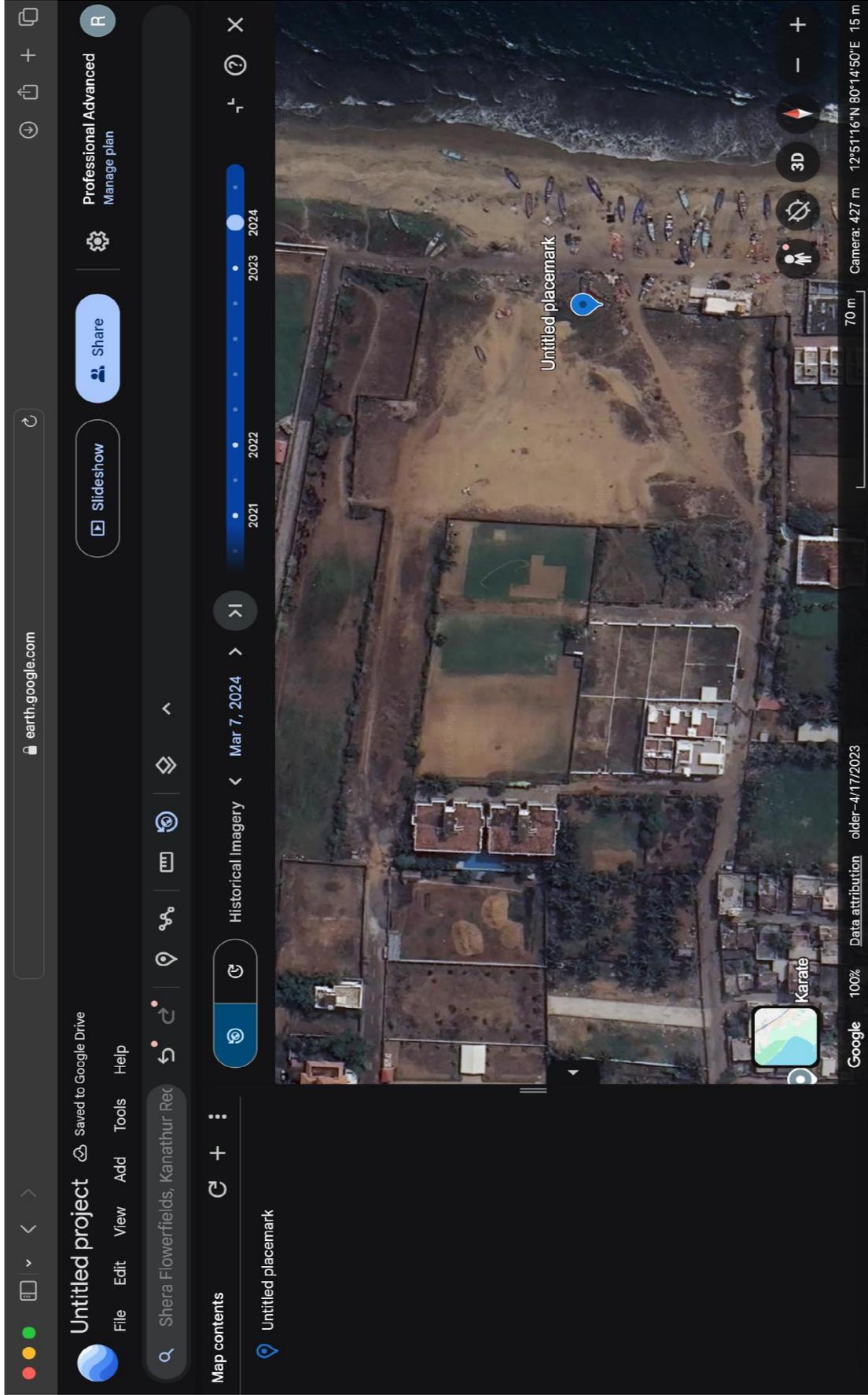












TAMIL NADU STATE COASTAL ZONE MANAGEMENT AUTHORITY
O/O DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE, 9TH FLOOR,
CMRL METROS, ANNA SALAI, NANDANAM, CHENNAI - 600 035

PRESENT: THIRU. A.R. RAHUL NADH, I.A.S.,

Proc. No. Efile/883/2025/DOECC/P1, dated 23-07-2025

Sir,

Sub.: Tamil Nadu State Coastal Zone Management Authority o/o Department of Environment and Climate Change - Complaint against Illegal Construction activity is taking place at Survey No. 92/3, 92/4, 92/5 in Kanathur Reddikuppam Village, Thiruporur Taluk, Chengalpattu district without obtaining necessary permission. Direction under Section 5 of the Environment Protection Act 1986 for Violation of the provisions of the Coastal Regulation Zone Notification, 2011 - Removal of structure at their own - Order Issued.

1. WHEREAS the Government of India issued the Coastal Regulation Zone (CRZ) Notification, 2011 vide S.O. No. 19(E) dated 6th January 2011 under the Environment Protection Act, 1986, for protecting and conserving the coastal environment and to regulate development in the CRZ area, and

2. WHEREAS, it has come to the knowledge, that Illegal Construction activity is taking place at Survey No. 92/3, 92/4, 92/5 in Kanathur Reddikuppam Village, Thiruporur Taluk, Chengalpattu district without obtaining necessary permission, which falls in **CRZ III-NDZ (No Development Zone)**, which is a prohibited activity as per the approved Coastal Zone Management Plan, and

3. WHEREAS, as per the instructions, a site was inspected by Assistant Executive Engineer (AEE) and Forest Range Officer (FRO) on **17.06.2025** and observed the following:

I. A compound wall composed of stone boulders is currently under construction around the vacant land.

II. On the Seaward side, foundation concrete has been laid for a length of approximately 25 m. On the south side compound construction appears to be partly completed.

III. Construction materials available on-site include stone boulders and Metal sand, as observed during the site inspection.

IV. No construction activity was in progress during the inspection.

V. No supervisor or property owner was present during the inspection.

Survey Number: 92/3, 92/4, 92/5

Coordinates: 12°51'15"N, 80°14'56"E

CRZ Zonation: CRZ III -NDZ (No Development Zone)

4. WHEREAS, as per the approved CZMP map No.TN104 of CRZ Notification 2011, your construction activity falls in CRZ III-NDZ (No Development Zone). As per Para 8 III (CRZ-III) (ii) of CRZ Notification, 2011, **"No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density, and for permissible activities under the notification, thus the above said construction within CRZ-III NDZ is a prohibited activity", thus the construction in Survey No.92/3,92/4,92/5, at coordinates 12°51'15"N, 80°14'56"E within CRZ-III, NDZ is a prohibited activity, and**

5. WHEREAS, the Member Secretary, Tamil Nadu State Coastal Zone Management Authority (TNSCZMA) has issued the show cause notice to the alleged Violator, **Thiru Mohamed Rizwan Sherif, 12/23, Spur Tank Road, Chetpet, Chennai - 600031**, vide proc.no. **Efile/DOECC/883/2025 dt.: 26.06.2025**. The alleged violator replied on **09.07.2025**, stating that the compound wall existed at the time of property purchase in 1980. However, due to ageing and natural calamities in 2018-19, parts of the wall were damaged. It was further stated that a concrete road adjacent to the seaward side compound wall was being used by local people, who would also sit on road along the compound wall. To prevent any hazardous situations arising from the damaged wall and to avoid illegal activities by unknown trespassers, as well as to protect the land from encroachment that they decided to reconstruct the wall.

6. The alleged violator called for a personal hearing on 18.07.2025 at 11.00 AM, enquired about the said violation, and they replied that they had reconstructed the damaged wall to prevent illegal activities from local villagers and to protect the land from encroachment. They also indicated that they were not aware of the CRZ Notification, 2011.

7. Therefore, it is admitted by the violator that they are in violation of the CRZ Notification, 2011, and the explanation of the ignorance of the notification is not a valid reason as per law.

8. WHEREAS, on the basis of detailed examination by the officials of TNSCZMA, it is observed that the construction of the compound wall, as stated in

para 3, 4, 5, 6 and 7 above, has been carried out in complete disregard of the provisions of the CRZ Notification, 2011 and,

9. NOW, THEREFORE, on the basis of Para 1 to 8 above and on the basis of detailed examination, and after considering the explanation of the violator, since he has stated that he has not produced any documentary evidence to that effect that he has obtained permission or complied with the CRZ Notification, 2011 and since the CRZ Notification, 2011 is clearly applicable to the impugned construction as described above and the construction is in the "No Development Zone" the TNSCZMA in accordance with the powers and provisions of Section 5 of the Environment (Protection) Act, 1986 hereby directs, **Thiru Mohamed Rizwan Sherif, 12/23, Spur Tank Road, Chetpet, Chennai - 600 031, that the construction at Survey No. Survey No.92/3,92/4,92/5, at coordinates 12°51'15"N, 80°14'56"E should be removed in its entirety forthwith and the area shall be restored to its original condition as prior to the commencement of the construction activities."**

Further, Thiru. Mohamed Rizwan Sherif, 12/23, Spur Tank Road, Chetpet, Chennai - 600 031, is also directed to ensure compliance with the applicable provisions of Construction and Demolition Waste Management Rules, 2016 while carrying out the demolition activity.

S.d/- A.R. Rahul Nadh
Member Secretary, TNSCZMA/
Director, Department of Environment
and Climate Change

To,

Thiru. Mohamed Rizwan Sherif,
12/23, Spur Tank Road, Chetpet,
Chennai - 600 031.

Copy to,

1) The Chairperson, Tamil Nadu State Coastal Zone Management Authority/
Additional Chief Secretary to Government,
Environment, Climate Change, and Forest Department,
Secretariat, Chennai - 600 009.

2) The Chairman/DCZMA,
District Collector,
Chengalpattu district, Chengalpattu - 603 001. - (It is requested to ensure compliance to the aforesaid direction of TNSCZMA and action taken report shall be furnished to the MS, TNSCZMA at the earliest)