

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
AT CHENNAI  
APPLICATION NO.104 OF 2024**

**In the matter of**  
Mr. R. Thangavel,

...Applicant

Vs

The District Collector,  
& 4 others.

...Respondents

**INDEX**

<b>S.No.</b>	<b>Date</b>	<b>Description</b>	<b>Pg. No.</b>
1.	07.09.2023	Receipt for removal of septic tank of the 5 <sup>th</sup> respondent	1
2.	02.02.2024	Receipt for removal of septic tank of the 5 <sup>th</sup> respondent.	2
3.	20.07.2024	Receipt for removal of septic tank of the 5 <sup>th</sup> respondent.	3
4.	29.07.2024	Receipt for payment penalty charges issued by the 3 <sup>rd</sup> respondent.	4
5.	05.08.2024	Counter filed by the 5 <sup>th</sup> respondent.	5 - 9

It is certified that the above documents are all true copies of the original.

**Dated at Chennai on this the 05<sup>th</sup> day of August 2024.**

  
(2330/2019)

**COUNSEL FOR 5<sup>TH</sup> RESPONDENT**

செல் : 9442780393

# A.A.A. பாஷா

செபிடிங் டேங்க் கிளினிங், பாடி பிரீசரி & சொரிக்ரதம் வண்டி  
(G.H.எதிரில்) கச்சிராயபாளையம் ரோடு, கள்ளக்குறிச்சி-606 202.

நெ.

தேதி ....7/9/23...

திரு.....

நா.பி.நா.சுன்  
கொட்டேஷன்/கேஷ் பில்

கொட்டேஷன்/கேஷ் பில்

விபரம்

ரூபாய்

மொத்தம் 6000/-

2000/-

மொத்தம்

2000/-

அட்வான்ஸ்

பாக்கி

E&OE

  
பரட்டி கையொப்பம்

  
கையொப்பம்

செல் : 9442780393

# A.A.A. பாஷா

செபிடிங் டேங்க் கிளினிங், பாடி பிரீசரி & சொரிக்கரதம் வண்டி  
(G.H.எதிரில்) கச்சிராயபாளையம் ரோடு, கள்ளக்குறிச்சி-606 202.

நெ.

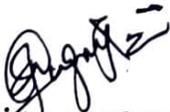
தேதி ...02.02.24

திரு.....**நாதராஜன்**.....  
.....**க.மாமாவிநீசன்**.....

கொட்டேஷன்/கேஷ் பில்

விபரம்	ரூபாய்
உதவிப் பேங்க் 6000 ரூபாய்	2000/-
மொத்தம்	2000/-
அட்வான்ஸ்	/
பாக்கி	/

E&OE



பாண்டி கையொப்பம்



கையொப்பம்



# KALLAKURICHI MUNICIPALITY / கள்ளக்குறிச்சி நகராட்சி SERVICE REQUEST / RECEIPT

Receipt No. / பற்றுச்சீட்டு எண் : 042/KL1/4/24-25/0010722  
 Service Name / சேவையின் பெயர் : Other Income  
 Applicant Name / விண்ணப்பதாரர் பெயர் : S NAGARAJAN  
 Address / முகவரி : 120 NAVATHIMMAL NAGAR, RAJA NAGAR, GANDHI ROAD,  
 KACHIRAYAPALAYAM ROAD AREA, KALLAKURICHI,  
 PIN Code -506202

Received Date / பற்றுச்சீட்டு நாள் : 28-Jul-2024 11:40:30 AM  
 Ward / அலைபேசி எண் : AWD-05  
 Mobile No / அலைபேசி எண் : 9192330091

Payment Mode: Cash

S. No. / வ.எண்.	Fees-Description	Amount / தொகை
1	SWM RULE 2016 PENALTY CHARGES	1000.00

Remarks: SWM 2016 PENALTY FEES FOR PUBLIC NUISANCE

S.No. **018587** / Payment Details : 1000.00/- Cash  
 Amount In Words : [ One Thousand Rupees and Zero Paise Only ]

Total / மொத்தம்

1000.00

CFC Counter / சேவை மையம்

KL1-R12-COUNTER

Issued By / வழங்குபவர்

V. R. POORNIMA

Signature / சைவொப்பம்

கைவெட்டுபொருள் துணிகபகைய II

Note : Cheque Payments are Subject to Realisation

கைவெட்டுவரைப் பாகிதன் கபகைய I

5

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
AT CHENNAI

O. A.No.104 of 2024 (SZ)

Between

Mr. R. Thangavel, M/65 years  
S/o. Rathinavel  
Door No.121, Raja Nagar  
Gandhi Road, Kallakurichi District.  
Kallakurichi 606 202.  
Celll No.99449 96356  
Email. [Kavithahardwaresklk@gmail.com](mailto:Kavithahardwaresklk@gmail.com)

..Applicant.

AND

1. The District Collector  
District Collector Office  
Kallakurich District 606 202.

2. The Chairman  
Tamil Nadu Pollution Control Board  
Anna Salai , Guindy  
Chennai.600 032.

3. The Commissioner  
Kallakurichi Municipality  
Kallakurichi District 606 202.

4. The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
District Collectorate Master Plan Complex  
Back side of Taluk Office, Villupuram. 605 602.

5. Mr. Nagarajan  
Door No.120, Navaneethammal 1<sup>st</sup> Street  
Raja Nagar, Kallakurichi Town  
Kallakurichi District 606 202.

..Respondents.

COUNTER STATEMENT FILED ON BEHALF OF THE 5<sup>TH</sup> RESPONDENT.

The above named 5<sup>th</sup> Respondent respectfully submit as follows.



6

1. The address for service of the 5<sup>th</sup> Respondent is that of his counsel M/s.S.Sairaman , and V.I. Prashanth, 42, Law Chambers, High Court Buildings, Chennai 600 104.
2. This respondent denies all the allegations contained in the Memorandum of Grounds of Application filed by the Applicant, except those that are specifically admitted by him, and puts the applicant to strict proof of all other allegations.
3. As regards the allegations contained in para 1 it is submitted that first of all this Respondent is not the owner of the subject property and on the contrary this Respondent's wife is the owner of the property. Hence, this application is liable to be dismissed as against this Respondent is concerned. It is pertinent to note that the applicant is fully aware of the fact that this Respondent is not the owner of the property. Having fully known the fact that this Respondent is not the owner of the property and also the fact that this Respondent is a Government servant , the applicant with an ulterior intention to victimize this Respondent, impleaded this Respondent as party Respondent owing to personal vengeance. Hence, this application is liable to be dismissed as against this Respondent.
4. As regards the averment contained in para 2 it is submitted that the averment contained in the said para are all matters on record. It is true that a notice dated 5.9.2023, was issued by the 3<sup>rd</sup> Respondent directing this respondent to remove the pipeline, though it was not in use, within 3 days from the date of notice. Accordingly, this Respondent removed the said pipe line on 7.9.2023 as directed by the 3<sup>rd</sup> Respondent. It is pertinent to submit that though this Respondent had put up pipe line, the said pipe line was not



being used. On the contrary, this respondent is having a separate septic tank and the human exexcreta was being removed in periodical intervals. This respondent is filing receipts for removing human exexcreta from the septic tank provided in his premises along with this counter statement.

5. As regards the allegations contained in para 3 that the same is a general allegations and are false and baseless. This respondent puts the applicant to strict proof of those allegations.

6. As regards the allegations contained in para 4 it is submitted that it is false to state that the pipeline was not disconnected as on the date of filing of application. On the contrary, the pipe line , though was not in use, was removed on 7.9.2023 by this respondent as stated above.

7. As regards the averment contained para 5 this Respondent submit that the said averment are matters on record and this Respondent puts the applicant to strict proof of the allegations contained in the paragraph.

8. The allegations contained in para 6 it is submitted that the same is the self serving statement of the applicant and this respondent puts the applicant to strict proof of those allegations.

9. As regards the averment contained in para 7 in pursuant to the order passed by this Hon'ble Tribunbal, the 3<sup>rd</sup> Respondent filed a status report dated 1.5.2024 and this Respondent humbly prays that this Hon'ble Tribunal may be please to take into consideration of the said report.

10. As regards the averments contained in paragraph 8 , this Respondent submit that this Respondent did not indulge in any activity that would cause environment pollution as alleged by the applicant. Further it is submitted that the Pollution Control Board Authorities are taking necessary steps to improve

and protect the environment in terms of the provisions of the Act. This Respondent had not committed any wrong as alleged by the Applicant. Hence, this application is liable to be dismissed.

11. It is pertinent to mention at this juncture that this Respondent is having a separate Septic tank for removal of human excreta and is periodically removing the human excreta as and when the septic tank is filled. Hence, the question of this respondent causing pollution does not arise. This Respondent is filing copies of the Bills in respect of removal of human excreta from the septic tank installed by this respondent is filed herewith and this Respondent prays that this Hon'ble Tribunal may be pleased to take the above receipts on record.

12. It is pertinent to note that this a fine of Rs.1,000/- was imposed by the 3<sup>rd</sup> Respondent on this Respondent in terms of provisions of SWM Rules, 2016, vide receipt dated 29.7.2024, and the same was paid by this Respondent. It is submitted that though this Respondent did not commit any violation as alleged by the applicant, as a law abiding citizen, this Respondent paid the fine imposed by the 3<sup>rd</sup> Respondent.

In view of the above facts and circumstances, this Respondent humbly pray that this Hon'ble Tribunal may be pleased to dismiss the above application and thus render justice.

Dated at Chennai on this the 5<sup>th</sup> day of August, 2024.



Counsel for 5<sup>TH</sup> Respondent.



5<sup>th</sup> Respondent.

## VERIFICATION

I, Mr. Nagarajan, residing at the 5<sup>th</sup> Respondent herein, Door No.120, Navaneethammal 1<sup>st</sup> Street, Raja Nagar, Kallakurichi Town, Kallakurichi District 606 202, do hereby declare that what have been stated in the above paragraphs 1 to 12, are true and correct and signed at Chennai on this the 5<sup>th</sup> day of August, 2024.



5<sup>th</sup> Respondent.

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE  
AT CHENNAI  
APPLICATION NO.104 OF 2024**

**In the matter of**  
Mr. R. Thangavel,

...Applicant

Vs

The District Collector,  
& 4 others.

...Respondent

**TYPEDSET OF PAPERS**

M/s.

**S. SAIRAMAN,  
ENRL. NO. 229/1991,  
V. I. PRASHANTH,  
ENRL. NO. 2330/2019  
COUNSEL FOR 5<sup>TH</sup> RESPONDENT  
9444142814**