

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE BENCH AT CHENNAI**  
**Original Application No. 124 of 2024**

**Applicant:**

Aalayam Kaappom  
Rep. by its President  
Mr. P.R.Ramanan  
No. 12, Nagarathinam Colony,  
Sir P.S.Sivasamy Salai,  
Mylapore, Chennai – 600 004.

...Applicant

And

**Respondents:**

1. Joint Commissioner/ Executive Officer,  
Arulmigu Subramaniya Swamy Thirukoil,  
Payaniyar Maligai Salai,  
Tiruchendur,  
Thoothukkudi – 628 215.
2. Commissioner,  
The Hindu Religious and Charitable Endowments Department,  
119, Uthamar Gandhi Salai, Nungambakkam,  
Chennai- 34,
3. The Government Of Tamil Nadu,  
Represented by its Additional Chief Secretary,  
Environment, Climate Change and Forest Department,  
Secretariat, Chennai - 600009
4. State Level Environment Impact Assessment Authority (SEIAA),  
3<sup>rd</sup> Floor, Panagal Maaligai,  
No. 1, Jeenis Road,  
Saidapet, Chennai- 600 015.
5. Ministry Of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan,  
Jorbagh Road,  
New Delhi- 110 003

...Respondents

**INDEX TO ADDITIONAL TYPEDSET**

<b>S. No.</b>	<b>Date</b>	<b>Particulars</b>	<b>Pg. No.</b>
1.	30.10.2023	Affidavit filed by Applicant in W.P.(MD).No. 26218 of 2023	1
2.	25.12.2023	Affidavit filed by Applicant in W.P.(MD).No. 1086 of 2024	20
3.	19.01.2024	Daily order in W.P.(MD).No. 1086 of 2024	41

Certified to be true copies of the original

Dated at Chennai on this the 15<sup>th</sup> day of August, 2024



**COUNSEL FOR APPLICANT**

**IN THE HIGH COURT OF JUDICATURE AT MADRAS  
MADURAI BENCH  
(Special Original Jurisdiction)**

**W.P. (MD).No 26218 of 2023**

B.Ramkumar Adityan,  
S/o.Mr.R.Balakrishna Adityan & Ms.Selvarathi,  
No.563, Thoothukudi Road,  
Tiruchendur – 628 216,  
Thoothukudi District

..... Petitioner

Vs

1. Principal Secretary,  
Tourism, Culture and Religious & Charitable Endowments Department,  
Government of Tamil Nadu,  
St. George Fort, Chennai – 600 009.
2. Commissioner  
Hindu Religious Endowment Department,  
No.119. Uthamar Gandhi Road,  
Chennai – 600 034.
3. District Collector,  
Thoothukudi District,  
Thoothukudi – 628 101.
4. Superintendent of Police,  
Thoothukudi District,  
Thoothukudi – 628 101.
5. Inspector of Police,  
Tiruchendur Taluk Police Station,  
Tiruchendur – 628 215.
6. Inspector of Police,  
Temple Police Station,  
Tiruchendur – 628 215.
7. Joint Commissioner,  
Arulmighu Subramainia Swamy Thirukovil,  
Hindu Religious Endowment Department,  
Tiruchendur -628 215.

8. President,  
Arangavalar Committee,  
Arulmighu Subramainia Swamy Thirukovil,  
Hindu Religious Endowment Department,  
Tiruchendur -628 215.

9. Commissioner,  
Tiruchendur Municipality,  
Tiruchendur – 628 215.

..... Respondents

### **AFFIDAVIT OF THE PETITIONER**

I am B.Ramkumar Adityan, S/o. R. Balakrishna Adityan & Mrs.Selvarathi, Hindu, aged about 50 years residing at No. 563. Thoothukudi Road, Virapandianpattanam, Tiruchendur – 628 216, Thoothukudi District now temporarily come over to Madurai do hereby solemnly affirm and sincerely state as under:

1. I am the Petitioner herein and as such I am well acquainted with the facts and circumstances of the case and as such I am competent to swear this affidavit.
2. I respectfully submit that I am native of Kayamozhi, Tiruchendur Taluk, Thoothukudi District. I am an Advocate by Profession. My Aadhar Card No is 8396 5273 9756. My PAN No is AFCPR6979L. My annual Net Income is Rs.4,25,792/- for the Assessment Year 2022-2023 as per my Income Tax Returns. I am a member of the AIADMK Party. I have fled some Public Interest Litigations before this Hon'ble Court and the Hon'ble Principal Seat. I am filing this Public Interest Litigation on my own accord based on my information and personal knowledge and at my own cost. I have no personal or private interest and any kind of publicity in the matter. According to my knowledge, no other Public Interest litigation arising on the same issue has been filed anywhere. I have not filed any other writ anywhere else on the same cause of action seeking for the same relief.

Page No: 2

Correction: Nil

Initial:

3. I respectfully submit that I am a devotee of Arulmighu Subramaniya Swamy, Tiruchendur. Every Year, I distribute Kanda Sasti Kavasam Book to devotees during Kanda Sasti Festival and provide Milk to all Devotees those who are carrying milk pot (Palkudam) on the day of Thirukalyaman at the 7<sup>th</sup> Respondent Temple in a procession organised by the Tamil Nadu Murugha Baktha Peravai. In Writ Petition in W.P.(MD).No.13010 of 2017, this Hon'ble Court directed the 3<sup>rd</sup> Respondent to take a decision to open a permanent Omni Bus Stand with all facilities at Tiruchendur. In Writ Petition in W.P.(MD).No.16077 of 2017 this Hon'ble Court directed the authorities to ensure that there is no display of vulgarity or obscenity in connection with the Dasara festival of Arultharum Mutharamman Thirukovil, located in Kulasekarapattinam. In Writ Petition in W.P.(MD)No.16537 of 2020, this Hon'ble Court directed the 3<sup>rd</sup> and 7<sup>th</sup> Respondents to conduct Soorasamharam at Beach on 20.11.2020 during Skanda Sasti festival 2020 without participation of the devotees during COVID -19 first Lock down when the 3<sup>rd</sup> Respondent took a decision to conduct Soorasamharam festival inside the Beach. In Writ Petition in W.P. (MD).No 7482 of 2023 this Hon'ble Court directed the Joint Commissioner of the 7<sup>th</sup> Respondent Temple, Madurai Arultharum Arulmigu Meenakshi Sundaraswarar Temple, Rameshwaram Arulmigu Ramanathaswamy Temple, Palani Arulmigu Dhandayuthapaniswamy Temple and Srirangam Arulmigu Aranganatha Swamy Temple, to fix a Special Time slot for Darshan to Physically Challenged People and Pregnant Women.
4. I respectfully submit that I filed an Original Application in OA.No.124 of 2022 to declare the Seashore from Napier Bridge to Thiruvanmiyur Transport Office Backside in Chennai District Coast and Kottivakkam to Kovalam Beach in Chenglepet District Coast in Bay of Bengal as

Ecologically Sensitive Area (ESA) in the Ennore Mamallapuram Zone in Bay of Bengal in order to protect the *Olive Ridley Sea Turtle* Nesting Grounds. The Hon'ble Principal Bench in R.S.Bharathi Vs the Commissioner of Police permitted to lay the mortal remains of Dr.Kalingar Karunanidhi within the precincts of burial place of former Chief Minister C.N.Annadurai as it was not cause any environmental or ecological damage. Later, the Tamil Nadu Government decided to construct a Pen Monument for Muthamizh Arignar Dr.Kalaaignar in Bay of Bengal which is a Turtle Nesting Ground. Hence, I filed an Appeal in Appeal No.30 of 2023 to set aside the Coastal Regulation Zone (CRZ) Clearance. Both are pending before the Hon'ble National Green Tribunal South Zone Bench. As a Primary Member of the AIADMK Party, I filed a Civil Suit No.102 of 2022 to challenge the amendments made in the Party Constitution in a Representative Capacity under Order 1 Rule 8 which is pending before the Hon'ble Principal Seat.

5. I respectfully submit that the 7<sup>th</sup> Respondent Temple, Arulmighu Subramaniya Swamy Thirukovil is situated at Tiruchendur which is one of the six places of worship dedicated to Lord Muruga. The temple, which is built near the seashore, measures 91 m (299 ft) north to south, 65 m (213 ft) east to west, and has a nine-tier gopuram, or tower gate, that is 157 feet (48 meters) high. The principal entrance faces south, and opens into the first of two prakarams, the first of which is lined with rows of yalis. The inner sanctum of the temple is in a cave and the main deity, or mulavar, is Murugan as a saintly child, portrayed in a granite carving. NaliKinaru, a sacred well fed by a freshwater spring, is located 100 m (330 ft) south of the temple. Devotees undergo a ritual cleansing by bathing in water from the well after bathing in the ocean. It has a holy past dating back to 2,000 years if not earlier. References are available in such texts as

Purananuru, Ilangovadigal's Silappadikaram, Nakkirar's Tirumurugatrupadai, Adi Sankara's Sri Subramanya Bhujangam, Kandapuram, Tiruppukazh, Tiruchendur Pillai Tamil, etc. It is one of the shrines of the Vaippu Sthalams sung by Tamil Shaivite Nayanar Appar.

6. I respectfully submit that Maharaja Marthandavarma, the maker of modern Travancore, endowed the very first the Udaya Marthanda kattalai of each morning, more than two centuries ago and others followed in the nine arathanas of the day. As time rolled on, the effect of the sea and its salt laden air began to corrode upon the inferior sand stones used at the first instance in the original construction. A noble Sanyasin, Mouna Swami saw the stones in a state of disintegration and took up the renovation, and was followed by two others (Kasi Swamigal, Arumuga Swamigal). The work continued during the course of 72 years, and this noble edifice of three prakaras was reconstructed new, in imperishable black granite, discarding every bit of the original white sandstone structure. The Sanyasins were wedded to poverty, but nevertheless funds were awarded in order to fulfill their life mission of constructing a worthy Temple (House of God) to stand for all times. The 7<sup>th</sup> Respondent temple was fully constructed anew in all its details, and Kumbabisheka performed in 1941 for West Gopuram, built on the extremity of the sand stone cliff are a landmark, and visible at sea for twelve miles around, looking as a brig in full sail.
7. I respectfully submit that a lot of festivals are celebrated in the 7<sup>th</sup> Respondent Temple. Twice in a year, once in Masi and once in Aavani, the Temple Brahmotsavams are held and they go on for 12 days. These two principal annual festivals are undoubtedly the best attractions for thousands of worshippers from near and afar. Of these, the Brahmotsavam of Masi during February – March each year wherein all

the three temple cars are dragged and the festival is conducted for twelve days concluding with a Teppam or Float Festival is much esteemed. On the 7<sup>th</sup> and 8<sup>th</sup> days of the festivals. Lord Shanmugha is housed in the Shanmukha Vilasa Mandapam before and after the processions. The Ratha Festival is conducted on the 10<sup>th</sup> day and the Teppam (Float) festival on the following day. Devotees numbering about two lakh participate in Avani Festival (August- September) of twelve days. On this Avani festival 7<sup>th</sup>, 8<sup>th</sup> and 10<sup>th</sup> day functions are more important. The 7<sup>th</sup> day Sikappu Sathi Festival and 8<sup>th</sup> day Pachai Sathi Festival are the most attractive, when Shanmughar is brought outside his sanctum in the temple to grace the several Mandagapadis in and around the town. The Temple Cars are drawn on the 10<sup>th</sup> day of the festival, and the Theppam float on the 11<sup>th</sup> day.

8. I respectfully submit that the Vasantha Festival is an annual festival of ten days in the month of Chithirrai (April-May). Senthil Nayagar, the Utsavar processional deity of Arulmighu Subramaniya Swamy with his consorts Valli and Theivayannai are taken from their sanctum in the Temple to the Vasanta Mandapam on the Giri Prahara which is suitably decorated with festoons for the occasion and made specially cool with waters filled in the trough which runs around the pedestal on which the deities are placed. It is an enjoyable and pleasant festival, wherein only the blessed who gather there have communion with deity without much of a crowd. Vaikasi Visagam (May-June), a large number of devotees numbering about three lakhs participate in the festival. A procession of Sri Jayanthinathar with Valli and Theivayannai is conducted in the night. Skanda Sasti Festival-7 days (October-November)- Devotees numbering about 12,00,000 will participate in the Kanda Sasti Festival. On this festival occasion, devotees fast for all six days. On the sixth day Surasamharam is enacted before a gigantic crowd of more than

5,00,000 devotees on the very beach where Lord Muruga fought Sura Padman. On the 7<sup>th</sup> day, his Thirukkalyanam (wedding) to Theivayannai is celebrated.

9. I respectfully submit that the Tiruchendur Town Panchayat upgraded to Municipality on 11.09.2021, which is managed by the 9<sup>th</sup> Respondent. Total Area of Tiruchendur Municipality is 24 Sq Km which has 27 Wards and 72 Streets. As of the Census 2011, Tiruchendur had a Population of 32,171 and present population is 35,171. Tiruchendur is Revenue Divisional Headquarters and it is also a Taluk Headquarters and there are 10 Local Bodies and 46 Village Panchayats come under the Jurisdiction of Tiruchendur Taluk. The Sub Court, District Munsiff Court and Judicial Magistrate Court, Union office, Treasury, Life Insurance Corporation of India, 8 Scheduled Banks, United India Insurance Company, Two Government Higher Secondary Schools, Five Colleges and a ITI are located within the Tiruchendur City limit and 5 Colleges within Municipal limits. Tiruchendur is also a Market Town for 63 nearby villages. From Tiruchendur daily, 58 Omni buses, 16 State Express Transport Buses and 173 Mofussil buses are operated to various destinations; six Passenger Trains and one Express Train are also operated from Tiruchendur. Every day approximately 7,000 to 10,000 people visit Tiruchendur for meeting their daily needs, Job, Education, Hospital and to worship at the 7<sup>th</sup> Respondent Temple.
10. I respectfully submit that the 7<sup>th</sup> Respondent decided to construct additional amenities buildings at the Arulmigu Subramaniya Swamy Thirukovil, Tiruchendur Campus. The 1<sup>st</sup> Respondent passed three orders for sanctioning of construction work. First Order in G.O.No.189 dated 04.08.2022 for Rs.133,35,00,000/-, Second Order in G.O.No.294 dated 16.12.2022 for Rs.16,60,00,000/- and third Order in G.O.No.23 dated 11.01.2023 for Rs.54,77,32,714/-. The Total Project cost is

Rs.204.72 Crores which includes Rs.7.93 Crore Consultancy and Design Fee to the Project Consultant "Eco Tech Labs Pvt Ltd, Chennai. Shiva Nadar's Vama Sundari Investments (Delhi) Private Limited sponsored the Total Construction Project. Shiva Nadar, a native of Moolaipozhi Village, Tiruchendur Taluk, Founder and Chairman of Hindustan Computers Limited (HCL) and Shiva Nadar Foundation. The 7<sup>th</sup> Respondent has not properly planned to utilize the Jackpot donation of the Vama Sundari Investments (Delhi) Private Limited. The 7<sup>th</sup> Respondent demolished Viduthi which is in good condition and rejuvenated after 2015 by spending several lakhs.

11. I respectfully submit that before starting the Construction of the additional amenities buildings in 2022, the 7<sup>th</sup> Respondent maintained Viduthi's (Lodges) and Cottages for the convenience of pilgrims' viz. Arumuga Vilas Viduthi, Velavan Viduthi, Senthil Andavar Viduthi, Jeyanthinathar Viduthi, Kandan Viduthi and Chendur Murugan Viduthi. Similarly, the 7<sup>th</sup> Respondent maintained a number of Marriage Halls viz. Govindammal Athittanar Kalyana Mandapam, RamCo Tirukalyana Annadana Mandapam, Skandavel Sashti Virutha Mandapam (Idumban Temple), Ladies Sashti Virutha Manapam and Singapore Govindaswamipillai Kalai Arangam. The 7<sup>th</sup> Respondent demolished most of the Viduthi and Marriage Halls and proposed to demolish the remaining.
12. I respectfully submit that as per the O.M issued by Ministry of Environment Forest & Climate Change under IA-III Section (CRZ) dated 26<sup>th</sup> April,2022, For Category B Projects which also required CRZ Clearance shall be granted Environment Clearance (EC) and Coastal Regulation Zone Clearance (CRZ Clearance) by the concerned State Environment Impact Assessment Authority (SEIAA) based on the recommendation of State Coastal Zone Management Authority (SCZMA)

and State Level Expert Appraisal Committee (SEAC). Online Proposal of the 7<sup>th</sup> Respondent to construct additional amenities building in Proposal Number in No.SIA/TN/MIS/267656/2022 dated 13.04.2022 was processed by the State Environment Impact Assessment Authority (SEIAA) and subsequently, the Environment Clearance was granted in EC Identification No.EC22B038TN134170 dated 20.09.2022 under Category B2 and Schedule S.No.8 (a) under the Environmental Impact Assessment Notification/2006 as amended.

13. I respectfully submit that as per provisions, any appeal against the Environmental Clearance shall lie with the Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act 2010. I am not challenging the above said Environment Clearance dated 20.09.2022 granted to the 7<sup>th</sup> Respondent by the State Environment Impact Assessment Authority. The allegations raised in this Petition are not under Environmental Grounds.

14. I respectfully submit that as per Construction Site Plan, total land area available is 2,71,313.39 Sqm and the built-up area is 65,147.78 Sqm of which existing building is 11,687.64 Sqm and proposed building is 53,460.14 Sqm. The Garden Area is 86,723 Sqm. Total Parking Area is 30,632.13 Sqm. Hence, total utilized area is 1,82,502.91 Sqm. Vacant and Road Area is 88,810.48 Sqm only. Every Year, during Kanda Sasti Festival, more than 10,00,000 Devotees visit the 7<sup>th</sup> Respondent Temple of which more than 5,00,000 devotees throng in the Seashore to witness the Soorasamharam Programme. Similarly, Vikasi Vishagam also the Devotees Congregate at the 7<sup>th</sup> Respondent Temple Prior to present Construction, Vacant lands of 2,59,625.75 Sqm (Total Land Area 2,71,313.39 Less Existing Built Up Area 11,687.64 Sqm) available to accommodate any number of Devotees. Since my

Childhood, a single incident of Stampede has not occurred at the 7<sup>th</sup> Respondent Temple and the devotees without any difficulty congregated. Now, almost 2/3 of the 7<sup>th</sup> Respondent Temple premises are going to be occupied by the buildings. According to an Order in G.O.(Ms).No.22 Municipality Administration and Water Supply Department dated 30.01.1997 classified Tiruchendur as one of the Ancient Cities. According to the G.O., the 9<sup>th</sup> Respondent has to ensure no building in the 7<sup>th</sup> Respondent Temple is constructed above 9 meters. In past, the 7<sup>th</sup> Respondent constructed buildings above 9 meters which violated above mentioned G.O.No.22 dated 30.01.1997.

15. I respectfully submit that the Environmental Clearance was granted permission to construct additional amenities buildings in CRZ-II areas only and not in CRZ-IA areas. As per provisions of Paragraph 7 (i) A (k) of the Coastal Regulation Zone Notification 2011 (CRZ Notification 2011) the areas or structures of archaeological importance and heritage sites are classified CRZ-IA areas. No new construction is permitted in the CRZ-I areas except few activities permissible under Paragraph 8 of the CRZ Notification 2011. Construction of additional amenities building is not a permissible activity in the CRZ-IA areas under Paragraph 8 of the CRZ Notification 2011.

16. I respectfully submit that the Institute of Remote Sensing, Anna University, Chennai – 25 prepared Local Level CRZ Map for construction of additional amenities buildings in the 7<sup>th</sup> Respondent Temple on the request of the Project Consultant Eco Tech Labs Pvt Ltd, Chennai. As per Report of the Institute of Remote Sensing, Anna University, Chennai – 25, in Paragraph, 3.0 Results and Conclusions, Table.3 clearly indicates some buildings in the Construction Site Plan falling in CRZ-1A areas (Archaeological and Heritage Sites) as per Approved Coastal Zone Management Plan (CZMP) prepared by National Centre for

Sustainable Coastal Management, Ministry of Environment, Forest and Climate Change, Government of India vide CRZ Notification 2011. Despite this the 7<sup>th</sup> Respondent started construction in CRZ-IA areas about 2,994.24 Sqm. While approving this additional amenities project, the State Environment Impact Assessment Authority (SEIAA) has prescribed many conditions out of which condition no:- 31.states Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. 37 states, there shall be no reclamation/dredging of natural, historical and archaeological sites.

<b>Building No.</b>	<b>Building Name</b>	<b>CRZ Classification</b>	<b>Area in Sq.m</b>	<b>Total Area in Sq.m</b>
8	Queue Complex	CRZ-1A (A&H)	1,238.64	1,421.50
		CRZ-II	182.86	
8A	Vallicave-Queue	CRZ-1A (A&H)	231.00	231.00
9	Prasadam Distribution Centre	CRZ-1A (A&H)	39.40	39.40
10	Special Dharshan Area	CRZ-1A (A&H)	983.95	983.95
11	Security Watch Tower	CRZ-1A (A&H)	60.00	60.00
12	Block-D	CRZ-1A (A&H)	330.84	642.04
		CRZ-II	311.20	
21	Soorasamhara Promenadi	CRZ-1A (A&H)	78.71	4,705.00
		CRZ-II	4,626.29	
27	Family Cottage-7	CRZ-1A (A&H)	31.70	1,076.19
		CRZ-II	1,044.49	

CRZ-IA- (A&H) (Archaeological and Heritage Sites)

17. I respectfully submit that the 7<sup>th</sup> Respondent also planned to start Construction in CRZ-II areas viz. Buildings No.1 Entrance Arch with Security Cabin, No.2.Entrance Block A, No.3.Entrance Block B,

No.4.Toilet Block-1, No.23.Shops-1, No.24.Shops-2, No.25.Laundry, No.29.Family Cottage, No.30.Kalyana Mandapam-I, No.31.Kalyana Mandapam-II, No.32.Toilet Block-5, No.33.Toilet Block-6, No.34 Dormitory Block-I, No.35.Dormitory Block-II, No.36.Toilet Block-7, No.37.Service Block, No.38.Staff Quarters-1, No.39.Staff Quarters-2 and No.40.Cottages as per the Construction Site Plan. If the 7<sup>th</sup> Respondent is permitted to construct these buildings as per Construction Plan, it is not possible to accommodate more than 5 lakh of devotees during Soorasamharam.

18. I respectfully submit that major Roads of Tiruchendur are Kamarajar Salai, East Car Street, South Car Street, West Car Street and North Car Street, Travelers Bungalow Road (popularly known as TB Road), Nadar Theru and Sabapathipuram Road. All four Car Streets are One Way Roads. Average width of South Car Street is 7.44 m, West Car Street is 9.91 m, North Car Street is 10.01 m, East Car Street is 8.26 m, Kamarajar Salai is 9.90 m and Sabapathipuram Road is 9.81 m. Market Roads of Tiruchendur are Kamarajar Salai, North Car Street and East Car Street. A lot of Government Offices are located in Travelers Bungalow Road (TB Road) which starts from Tiruchendur Government Hospital- Tirunelveli - Thoothukudi Road Junction. Tiruchendur Combined Court Buildings, Taluk Office, Post Office, Taluk Police Station, All Women Police Station, Sub Registrar Office, Life Insurance Corporation of India Office, Temple Police Station, Deputy Superintendent of Police, Government Boys Higher Secondary School and State Highway Office, Tamil Nadu Tourism Hotel, Lodges and Marriage Halls are also located in T.B.Road only. Sabapathipuram Road, South Car Street, West Car Street and Nadar Theru are purely residential areas.

19. I respectfully submit that at present there are three Entry Gates viz Gate No. 1, Gate No. 2 and Gate No.3 to reach the 7<sup>th</sup> Respondent Temple. Most of the Private Lodges of Tiruchendur are located in Saravanpogai Road, Taluk Office Road, Travelers Bungalow Road (T.B.Road) only which is very nearer to Gate No.1. During festival days Police don't allow Vehicles in the T.B.Road and block T.B.Road temporarily. Hence, those who wish to go to the Lodges located near Gate No.1 side, used to go via Kamarajar Salai, North Car Street and Nadar Theru. Since, Sannathi Street is a closed Road; no one can access the Temple by Vehicle via Gate No.2.
20. I respectfully submit that presently almost all the Vehicles come from Tirunelveli Direction (By Palyamkottai-Tiruchendur State Highway/SH40), Sathankulam Direction (By Sathankulam- Tiruchendur Major District Road-MDR330), Thoothukudi Direction (Thoothukudi – Tiruchendur State Highway/SH176) and Kanyakumari Direction (Kanyakumari-Tiruchendur State Highway/SH176) reach the 7<sup>th</sup> Respondent Temple Parking to the Gate No-3 only. All the Vehicles have to reach the Temple Parking from Tiruchendur Government Hospital Junction via Kamarajar Salai, North Car Street, East Car Street and Sabapathipuram Road.
21. I respectfully submit that after Darshan, those who wish to go towards Thoothukudi Direction from the 7<sup>th</sup> Respondent Temple have to go via Sabapathipuram Road, South Car Street, West Car Street and Kamarajar Salai and reach Tiruchendur-Thoothukudi Road/SH176. Those who wish to go towards Tirunelveli Direction from the 7<sup>th</sup> Respondent Temple have to go via Sabapathipuram Road, South Car Street, West Car Street and Kamarajar Salai and reach Tiruchendur-Tirunelveli Road/SH40. Those who wish to go towards Kanyakumari Direction from the 7<sup>th</sup> Respondent Temple have to go via

Sabapathipuram Road, South Car Street, Theppakulam Street and reach Tiruchendur-Kanyakumari Road/SH176. Those who wish to go towards Sathankulam Direction from the 7<sup>th</sup> Respondent Temple have to go via Sabapathipuram Road, South Car Street, Theppakulam Street and reach Tiruchendur-Sathankulam Road/MDR 330.

22. I respectfully submit that during Festival days of the 7<sup>th</sup> Respondent Temple, Sabarimalai Iyappan Season and Dasar Celebration at Kulasekarapattinam Arultharum Mutharamman Thirukovil, the number of visitors to the 7<sup>th</sup> Respondent Temple is almost doubled. The residents of four Car Streets, Sabapathipuram Road, Theppakulam Theru and Nadar Theru are daily facing a lot of difficulties because of the Vehicles which ply to the 7<sup>th</sup> Respondent Temple. The residents close the window and door of their house to avoid Street Dust kicked up by Vehicles and Polluted Air which consist of deposition of Vehicle exhausts. Use of pressure horns by the Vehicle created Noise which is one of the serious issues. Kids are also forced to stay inside the house, not even come out to play Games and life of Children under threat. Everyone is not able to sleep properly. This huge Traffic causes a serious hardship to pedestrians and residents of this area. During festival days, especially during Kandha Sasti and Vaikasi Vishagam, the residents of surrounding villages are not able to visit Tiruchendur for their daily needs, even for emergencies. This affects the routine life of the Public of Tiruchendur and surrounding cities.

23. I respectfully submit that presently, Construction of two major projects is going on near Tiruchendur. The Indian Space Research Organization (ISRO) is all set to begin work on building the ₹950-crore Greenfield Rocket Launch facility near the township of Kulasekarapattinam, 15 km south of Tiruchendur. The facility is being constructed over 2,350 acres. As of July 2022, the acquisition of around

1950 acres (nearly 83%) of land had been completed. The Second Project is Udangudi Super Critical Thermal Power Project for Phase-I, Phase-II and Phase-III of 6 x 660 MW at Kallomozhi, 8 Km south of Tiruchendur, owned by the Tamil Nadu Electricity Board. Both Projects put together will give permanent and Contract jobs for minimum 6,000 persons. No one can predict growth of Tiruchendur after completion of the both Projects. But definitely Tiruchendur will face massive Traffic jams daily. Finally it affects the routine life of Tiruchendur residents more.

24. I respectfully submit that as per the Construction Plan for the additional amenities buildings, Parking provided for 632 Cars, 950 Two Wheelers and 44 buses. Despite above said difficulties to the residence, the 7<sup>th</sup> Respondent planned to utilize the same Kamarjar Salai, North Car Street, East Car Street, Sabapathipuram Road, South Car Street, Theppakulam Theru, West Car Street for the Road needs of the Devotees. The 9<sup>th</sup> Respondent also does not bother to find a solution for the Traffic. The 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents alone take the responsibility and manage the Traffic problem with their limited Police force.

25. I respectfully submit that the citizens/persons have a right to leisure, to sleep, to breathe, to eat, to drink, to blink, not to hear and to remain silent etc. Sleep is one of the basic essentials of life; its deprivation would be considered physical and mental torture. To take away a person's right to sleep would be a violation of their human rights and any disturbance caused intentionally, unlawfully and for no justification would amount to a violation of fundamental rights. Tiruchendur residence life is affected and their free movement is crippled and even the children and old people are affected because of the Traffic in North Car Street, East Car Street, South Car Street, West

Car Street, Theppakulam Street and Sabapathipuram Street. These Streets are not Highways.

26. I respectfully submit that before finalizing the Construction Site Plan, the 7<sup>th</sup> Respondent didn't consult with the local residence. Public Consultation is exempted for projects under 8 (a) Building and Construction Projects. But this project related to construction of amenities in a Temple where every year more than 50 lakh devotees throng. It is not an Industrial project or construction of building or commercial project. Day to day life of more than 30,000 local people is affected. Every year the 3<sup>rd</sup> Respondent used to conduct Public Consultation during Kanda Sasti Festival at the 7<sup>th</sup> Respondent Temple. In the year 2021, very heavy rain lashed Tuticorin District on 25.11.2021 at the 7<sup>th</sup> Respondent Temple on 25.11.2021,. The 7<sup>th</sup> Respondent temple premises were inundated and the side of the Temple facing the sea merged with the sea. The 7<sup>th</sup> Respondent already dumped Hard Structures in Sea in the East and North Side of the Temple. Last year, the National Green Tribunal set-aside a CRZ clearance for Ennore-Ernavoorkuppam groynes project said there was a need to replace hard structures like seawalls and groynes with softer options like beach nourishment, sand bypassing, dune planting and offshore submerged reefs, among others. But there is no proposal in the Construction Site Plan of the 7<sup>th</sup> Respondent.

27. I respectfully submit that Temple cars or Temple chariots and Chapparam are used to carry representations of Hindu gods around the streets of the temple on festival days. These chariots are generally manually pulled by the devotees of the deity. The Car and Chapparam procession is an integral part of the festival and four Radha Veethi's are precisely designed for carrying out the procession of the Temple Car and Chapparam. Nowadays the 5<sup>th</sup> and 6<sup>th</sup> Respondents permit

Procession of Local Temples in East Car Street, South Car Street, West Car Street, North Car Street and Kamrajar Salai which disturb the routine life of the General Public and residence of Tiruchendur. The 5<sup>th</sup> and 6<sup>th</sup> Respondent has to be restrained to give such permission.

28. I respectfully submit that this Hon'ble Court in Order dated 22.03.2019 in W.P.(MD).No.6850 of 2019 directed the Police Authorities not to permit any political parties to conduct meetings and rallies in street corners, roads, thoroughfares and near the residential areas affecting free movement and peaceful living of the people. It is always open to the authorities to give permission to any political parties to hold meetings outside the urban areas by which, life of the people will not be affected. The right to privacy is an integral part of Article 21 of the Constitution, and that there could be no illegitimate intrusion into the privacy of a person. The right of privacy and the right to sleep are fundamental rights like a right to breathe, to eat, to drink, to blink etc under Article 21. As per provisions of the Paragraph 8 (i) (I) (i) (e) and Paragraph 8 (i) (I) (ii) (g) of the Coastal Regulation Zone Notification 2011, construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water is permissible. Hence, no bar to lay a new Two Way Road or Bridge to reach the parking place of the Arulmighu Subramaniya Swamy Thirukovil, Tiruchendur directly from Tiruchendur-Kanyakumari State Highways-SH-176 without entering into the Tiruchendur Town.

29. I respectfully submit that Seashore of the Tiruchendur is the venue for Soorasamharam which is located between Bay of Bengal and Moovar Samadhi (Markedd as K in the Map). But a new structure namely, Soorasamhara Promenade (Building No.21 in the Map) is going to be constructed which is located in the CRZ-IA areas. No one knows reason for construction of Soorasamhara Promenade. The 7<sup>th</sup>

Respondent may change venue of the Soorasamharam. I sent my Representation on 03.01.2017, 31.07.2017, 08.11.2019, 03.07.2021, 14.09.2023, 13.10.2023 and 16.10.2023 on the above said subjects. Though my Representations have been received by the Respondents, they have not acted either way. I have made out a strong prima facie case and the balance of convenience is in favour of interim orders being passed, as prayed for herein. Under these circumstances, I left no other alternative efficacious remedy, except knocking the doors of the Hon'ble High Court by invoking Article 226 of the Constitution of India for the reliefs sought for as under.

For the reasons stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to grant an order of **INTERIM INJUNCTION** restraining the 2<sup>nd</sup>, 7<sup>th</sup> and 8<sup>th</sup> Respondents or its Men or Agent carrying on Construction in CRZ-IA areas viz. Buildings No.8 Queue Complex, No.8A Valli Cave-Queue, No.9 Prasadam Distribution Centre, No.10 Special Dharshan Area, No.11 Security Watch Tower, No.12 Block-D, No.21 Soorasamhara Promenade, No.27 Family Cottage-7 and Construction in CRZ-II areas viz. Buildings No.1 Entrance Arch with Security Cabin, No.2.Entrance Block A, No.3.Entrance Block B, No.4.Toilet Block-1, No.23.Shops-1, No.24.Shops-2, No.25.Laundry, No.29.Family Cottage, No.30.Kalyana Mandapam-I, No.31.Kalyana Mandapam-II, No.32.Toilet Block-5, No.33.Toilet Block-6, No.34 Dormitory Block-I, No.35.Dormitory Block-II, No.36.Toilet Block-7, No.37.Service Block, No.38.Staff Quarters-1, No.39.Staff Quarters-2 and No.40.Cottages as per the Construction Site Plan pending disposal of the main Writ Petition pending on the file of this Hon'ble Court and thus render Justice.

For the reasons stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to grant an order of **INTERIM DIRECTION** to the 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Respondents to permit the Traditional Car Procession, Chapparam Procession, Palkudam Procession and Kavadi Procession related to Tiruchendur Arulmighu Subaramanya Swamy Thirukovil and Sri Sivakolundeeswarar Temple only in Sannathi Theru, East Car Street, South Car Street, West Car Street and North Car Street and reject application of Communal Temples, Local Temples, Political Parties, NGOs and others if any pending disposal of the main Writ Petition pending on the file of this Hon'ble Court and thus render Justice.

Therefore, it is most respectfully prayed that this Hon'ble Court may graciously pleased to issue a **WRIT OF MANDAMUS**, or any other appropriate Writ or Order or Direction to the 3<sup>rd</sup>, 7<sup>th</sup> and 9<sup>th</sup> Respondents take effective steps to review the Construction Site Plan of the 7<sup>th</sup> Respondent Temple and to lay a new Two Way Road or Bridge to reach the parking place of the Arulmighu Subramaniya Swamy Thirukovil, Tiruchendur directly from Tiruchendur-Kanyakumari State Highways-SH-176 without entering into the Tiruchendur Town and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render Justice.

Solemnly affirmed at Madurai  
after the contents are explained  
to him in Tamil and having understood  
the same on this 30<sup>th</sup> day of October'2023.  
and signed his name in my presence

BEFORE ME

ADVOCATE

G.Sureshkumar

(Enroll No.325/2010) Cell:94426 11345.  
2010.- B.A.B.L.Tirunelveli Law College,  
Off & Res& No.326/1.Ilayarani Type, Valar Nagar, Madurai

**IN THE HIGH COURT OF JUDICATURE AT MADRAS  
MADURAI BENCH  
(Special Original Jurisdiction)**

**W.P. (MD).No 1086 of 2024**

B.Ramkumar Adityan,  
S/o.Mr.R.Balakrishna Adityan & Ms.Selvarathi,  
No.563, Thoothukudi Road, Virapandianpattinam,  
Tiruchendur – 628 216,  
Thoothukudi District

..... Petitioner

Vs

1. Secretary,  
Ministry of Environment, Forest and Climate Change,  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi- 110 003.
2. Additional Chief Secretary,  
Environment, Climate Change and Forest Department,  
Government of Tamil Nadu,  
Secretariat, Chennai – 600 009.
3. Principal Secretary,  
Tourism, Culture and Religious & Charitable Endowments Department,  
Government of Tamil Nadu,  
St. George Fort, Chennai – 600 009.
4. Member Secretary,  
State Level Environment Impact Assessment Authority,  
No.3<sup>rd</sup> Floor, Panagal Maaligai, No.1.Jeenis Road,  
Saidapet, Chennai – 600 015.
5. Member Secretary,  
Tamil Nadu State Coastal Zone Management Authority  
Department of Environment, No.1.Jeenis Road,  
Saidapet, Chennai – 600 015.
6. Member Secretary,  
Tamil Nadu Pollution Control Board,  
72. Mount Road, Guindy,  
Chennai – 600 032.

Page No: 1

Correction: Nil

Initial:

7. Commissioner  
Hindu Religious Endowment Department,  
No.119. Uthammar Gandhi Road,  
Chennai – 600 034.
8. Superintending Archaeologist,  
Trichy Circle- Archaeological Survey of India,  
Main Guard Gate, Teppakulam,  
Trichy -620 002.
9. District Collector,  
Thoothukudi District,  
Thoothukudi – 628 101.
10. Chairman,  
District Coastal Zone Management Authority,  
O/o. District Collector,  
Thoothukudi – 628 101.
11. Joint Commissioner/Executive Officer,  
Arulmighu Subramainia Swamy Thirukovil,  
Hindu Religious Endowment Department,  
Tiruchendur -628 215.
12. President of Arangavalar Committee,  
Arulmighu Subramainia Swamy Thirukovil,  
Hindu Religious Endowment Department,  
Tiruchendur -628 215.
13. Commissioner,  
Tiruchendur Municipality,  
Tiruchendur -628 215 .
14. Managing Director,  
Vama Sundari Investments (Delhi) Private Limited,  
44, Friends Colony (East)  
New Delhi - 110065
15. Managing Director,  
Eco Tech Labs Pvt Ltd,  
No.48.A.2<sup>nd</sup> Main Road,  
Ram Nagar South Extension,  
Pallikaranai, Chennai – 600 100. .... Respondents

**AFFIDAVIT OF THE PETITIONER**

I am B.Ramkumar Adityan, S/o. R. Balakrishna Adityan & Mrs.Selvarathi, Hindu, aged about 50 years residing at No. 563. Thoothukudi Road, Virapandianpattanam, Tiruchendur – 628 216, Thoothukudi District now temporarily come over to Madurai do hereby solemnly affirm and sincerely state as under:

1. I am the Petitioner herein and as such I am well acquainted with the facts and circumstances of the case and as such I am competent to swear this affidavit. I have not filed any other writ anywhere else on the same cause of action seeking for the same relief.
2. I respectfully submit that I am an Advocate by Profession. I am native of Kayamozhi, Tiruchendur Taluk, Thoothukudi District. My Aadhar Card No is 8396 5273 9756. My PAN No is AFCPR6979L. My annual Net Income is Rs.4,25,792/- for the Assessment Year 2022-2023 as per my Income Tax Returns. I am filing this Public Interest Litigation on my own accord based on my information and personal knowledge and at my own cost. I have no personal or private interest and any kind of publicity in the matter. I am ready to bear all other costs that I might have to pay at a later stage. According to my knowledge, no other Public Interest litigation arising on the same issue has been filed anywhere. I have not filed any other writ anywhere else on the same cause of action seeking for the same relief. I am a member of the AIADMK Party. I have already filed some Public Interest Litigations before this Hon'ble Court and the Hon'ble Principal Seat. My efforts in many Public causes have brought suitable relief to the aggrieved persons.
3. I respectfully submit that in Writ Petition filed by me in W.P.(MD).No.13010 of 2017, this Hon'ble Court directed the 9<sup>th</sup> Respondent herein to take a decision to open a permanent Omni Bus Stand with all facilities at Tiruchendur. In Writ Petition in

Page No: 3

Correction: Nil

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W.P.(MD).No.16537 of 2020, this Hon'ble Court directed the 9<sup>th</sup> and 11<sup>th</sup> Respondents herein to conduct Soorasamharam at Tiruchendur Beach on 20.11.2020 during Skanda Sasti festival 2020 without participation of the devotees during COVID -19 first Lock down when the Thoothukudi District Collector took a decision to conduct Soorasamharam festival inside the Beach. In Writ Petition in W.P. (MD).No 7482 of 2023 this Hon'ble Court directed the 11<sup>th</sup> Respondent and Joint Commissioner of Madurai Arultharum Arulmigu Meenakshi Sundaraswarar Temple, Rameshwaram Arulmigu Ramanathaswamy Temple, Palani Arulmigu Dhandayuthapaniswamy Temple and Srirangam Arulmigu Aranganatha Swamy Temple, to fix a Special Time slot for Darshan to Physically Challenged People and Pregnant Women. In Writ Petition in W.P.(MD).No. 26218 of 2023 to direct the 9<sup>th</sup>, 11<sup>th</sup> and 13<sup>th</sup> Respondents herein to take effective steps to review the Construction Site Plan of the 11<sup>th</sup> Respondent Temple and to lay a new Two Way Road or Bridge to reach the parking place of the Arulmighu Subramaniya Swamy Thirukovil, Tiruchendur directly from Tiruchendur-Kanyakumari State Highways-SH-176 without entering into the Tiruchendur Town is pending.

4. I respectfully submit that the 11<sup>th</sup> Respondent Temple, Arulmighu Subramaniya Swamy Thirukovil is situated at Tiruchendur which is one of the six places of worship dedicated to Lord Muruga. The temple, which is built near the seashore, measures 91 m (299 ft) north to south, 65 m (213 ft) east to west, and has a nine-tier gopuram, or tower gate, that is 157 feet (48 meters) high. The principal entrance faces south, and opens into the first of two prakarams, the first of which is lined with rows of yalis. The inner sanctum of the temple is in a cave and the main deity, or mulavar, is Murugan as a saintly child, portrayed in a granite carving. NaliKinaru, a sacred well fed by a freshwater spring, is located 100 m (330 ft) south of the temple. Devotees undergo a ritual cleansing by bathing in water from the well

after bathing in the ocean. It has a holy past dating back to 2,000 years if not earlier. References are available in such texts as Purananuru, Ilangovadigal's Silappadikaram, Nakkirar's Tirumurugatrupadai, Adi Sankara's Sri Subramanya Bhujangam, Kandapuramam, Tiruppukazh, Tiruchendur Pillai Tamil, etc. It is one of the shrines of the Vaippu Sthalams sung by Tamil Shaivite Nayanar Appar.

5. I respectfully submit that a lot of festivals are celebrated in the 11<sup>th</sup> Respondent Temple. Masi (February – March) and Aavani (August-September) Festivals are two principal annual festivals that are undoubtedly the best attractions for thousands of worshippers from near and afar. The Ratha Festival is conducted on the 10<sup>th</sup> day and the Teppam (Float) festival on the following day. The Temple Brahmotsavams are held and they go on for 12 days. These two principal annual festivals are undoubtedly the best attractions for thousands of worshippers from near and afar. Devotees numbering about two lakh participate. The Vasantha Festival is an annual festival of ten days in the month of Chithirai (April-May). Senthil Nayagar, the Utsavar processional deity of Arulmighu Subramaniya Swamy with his consorts Valli and Theivayannai are taken from their sanctum in the Temple to the Vasanta Mandapam on the Giri Prahara which is suitably decorated with festoons for the occasion and made specially cool with waters filled in the trough which runs around the pedestal on which the deities are placed. It is an enjoyable and pleasant festival, wherein only the blessed who gather there have communion with deity without much of a crowd. Vaikasi Visagam (May-June), a large number of devotees numbering about three lakhs participate in the festival. A procession of Sri Jayanthinathar with Valli and Theivayannai is conducted in the night. Skanda Sasti Festival-7 days (October-November)- Devotees numbering about 12,00,000 will participate in the Kanda Sasti Festival.

On this festival occasion, devotees fast for all six days. On the sixth day Surasamharam is enacted before a gigantic crowd of more than 5,00,000 devotees on the very beach where Lord Muruga fought Sura Padman. On the 7<sup>th</sup> day, his Thirukkalyanam (wedding) to Theivayannai is celebrated.

6. I respectfully submit that the events recorded by the French writer of 16<sup>th</sup> Century, M Rennel, in his book namely "A Description, Historical and Geographical, of India", the 11<sup>th</sup> Respondent Temple was captured on 09.02.1649 by the Dutch Forces. While vacating the 11<sup>th</sup> Respondent temple, the Dutch carried the murti of the main deity of Shanmukhar and Śiva Natarajar, as they thought they were made of gold. However, once at sea, there was a wild storm and the vessel shook violently. The Dutch forces, frightened that the murtis had caused the bad weather, the Dutch sailors threw away the murti at sea. Vadamalaiappa Pillaiyyan, the local governor of Tirunelveli for the Madurai Naicker miraculously recovered the original murti from the sea. As stated in the paintings presently available in the 11<sup>th</sup> Respondent Temple, a dream to Vadamalaiappa Pillaiyyan, revealed that the location where the murti was immersed would be shown by a floating lime, and a kite would be circling the skies. The place was supposed to have been found, and the murtis recovered by divers and installed back at the temple. Our Ancestor Adityan Nadar and another one local Pitchai Fernando of Alanthalai with divers went along with Vadamalaiappa Pillaiyyan to find the spot and brought the deities out.
7. I respectfully submit that our Kayamozhi Adityan Family is closely associated with the 11<sup>th</sup> Respondent Temple. Even today, every year during Masi Festival and Avani Festival, while Temple Cars are drawn on 10<sup>th</sup> day of the festival Representatives from our family start pulling the Temple Cars first after doing special Poojas for deities. Our Family sponsors the Thirukalyanam which is held on the 9<sup>th</sup> day of Kanda Sasti

Festival in the Tamil month Aipassi (October-November). Likewise, our family sponsors programmes on 6<sup>th</sup> and 7<sup>th</sup> day of the Masi Festival and 6<sup>th</sup> and 7<sup>th</sup> day of the Avani festival. Every Year, I also distribute Kanda Sasti Kavagam Book to devotees during Kanda Sasti Festival and provide Milk to all Devotees those who are carrying milk pot (Palkudam) on the day of Thirukalyaman in a procession organised by Tamil Nadu Murugha Baktha Peravai.

8. I respectfully submit that The Tiruchendur Town Panchayat upgraded to Municipality on 11.09.2021, which is managed by the 14<sup>th</sup> Respondent. A Government Order in G.O.(Ms).No.22, Municipal Administration and Water Supply (Needhi-1) Department dated 30.01.1997, declared 38 Ancient Cities of Tamil Nadu which includes Tiruchendur. According to the G.O, Buildings constructed within 1 kilometer from the perimeter wall of the ancient temple should not be more than 9 meters (Ground and 1<sup>st</sup> Floor) and based on this restriction, the concerned local bodies can grant permission to the buildings. But the 11<sup>th</sup> Respondent never complied with the restriction of the G.O.No.22 while constructing buildings within Temple Campus.
9. I respectfully submit that the 11<sup>th</sup> Respondent decided to construct additional amenities buildings within Temple Campus. The 3<sup>rd</sup> Respondent passed an order vide G.O.(Ms.) No.35 dated 25.02.2022 to take a Policy Decision to do Construction of additional amenities building for Rs.171 Crore which is sponsored by the 14<sup>th</sup> Respondent, one of the Group concerns of Shiv Nadar Foundation. Shiva Nadar is Chairman and Founder of Shiv Nadar Foundation and Hindustan Computers Limited (HCL), a native of Moolaiipozhi, Tiruchendur Taluk. The 11<sup>th</sup> Respondent agreed to construct the additional amenities buildings by the 14<sup>th</sup> Respondent's own Construction Team. The 15<sup>th</sup> Respondent who is Consultant for the proposal for which Rs.7,96,52,330/- was paid as fee.

10. I respectfully submit that the 11<sup>th</sup> Respondent applied to grant the Environmental Clearance (EC) before the 4<sup>th</sup> Respondent to construct additional amenities building on 12.04.2022 in Proposal Number in No.SIA/TN/MIS/267656/2022 under Category B2 as per Schedule S.No.8 (a) of the Environmental Impact Assessment Notification'2006 (EIA Notification'2006) as amended. The 11<sup>th</sup> Respondent applied to grant the Coastal Regulation Zone (CRZ) Clearance on 17.05.2022 before the 5<sup>th</sup> Respondent in Proposal No. IA/TN/CRZ/288661/2022 along with Local Level CRZ Map for construction of additional amenities buildings from the Institute of Remote Sensing, Anna University, Chennai - 600 025 on 10.05.2022 which classified the buildings mentioned in the Construction Plan into two Categories viz. CRZ-IA and CRZ-II. In Paragraph, 3.0 Results and Conclusions, Table.3 clearly indicates buildings falling in CRZ-1A areas.

<b>Building No.</b>	<b>Building Name</b>	<b>CRZ Classification</b>	<b>Area in Sq.m</b>	<b>Total Area in Sq.m</b>
8	Queue Complex	CRZ-1A (A&H)	1,238.64	1,421.50
		CRZ-II	182.86	
8A	Vallicave-Queue	CRZ-1A (A&H)	231.00	231.00
9	Prasadam Distribution Centre	CRZ-1A (A&H)	39.40	39.40
10	Special Dharshan Area	CRZ-1A (A&H)	983.95	983.95
11	Security Watch Tower	CRZ-1A (A&H)	60.00	60.00
12	Block-D	CRZ-1A (A&H)	330.84	642.04
		CRZ-II	311.20	
21	Soorasamhara Promenadi	CRZ-1A (A&H)	78.71	4,705.00
		CRZ-II	4,626.29	
27	Family Cottage-7	CRZ-1A (A&H)	31.70	1,076.19
		CRZ-II	1,044.49	

CRZ-IA- (A&H) (Archaeological and Heritage Sites)

11. I respectfully submit that the 10<sup>th</sup> Respondent in its 75<sup>th</sup> meeting held on 27.05.2022 recommended the proposal of the 11<sup>th</sup> Respondent to consider granting CRZ Clearance to the 5<sup>th</sup> Respondent with five

Page No: 8

Correction: Nil

Initial:

conditions. Of which Condition No.1 reads, "All the provisions of the Coastal Zone Notification, 2011 shall be adhered with." Condition No.2 reads, The Project proponent shall undertake the establishment only after getting the required Clearances from competent authorities such as Environmental Clearance, Planning permission, Plan Approval, etc. including clearance under the Coastal Regulation Zone Notification, 2011 and other statutory clearances.

12. I respectfully submit that the 11<sup>th</sup> Respondent submitted the Presentation towards Environmental Clearance (EC) before the 4<sup>th</sup> Respondent on 27.06.2022. Subsequently, the State Expert Appraisal Committee- Tamil Nadu in its 290<sup>th</sup> Meeting held on 30.06.2022 noted in Paragraph 5, "The project lies in CRZ-IA-Existing Archaeological & Heritage Sites, CRZ-II Existing additional amenities building & Proposed additional amenities building as per CRZ Notification 2011 and recommended the proposal for the grant of Environmental Clearance with specific conditions apart from normal. The 4<sup>th</sup> Condition reads, "The Project Proponent shall furnish CRZ Clearance from TNCZMA/the 5<sup>th</sup> Respondent before obtaining CTO from TNPCB/ the 6<sup>th</sup> Respondent".
13. I respectfully submit that 117<sup>th</sup> meeting of the 5<sup>th</sup> Respondent held on 20.07.2022 which placed the proposal before the 4<sup>th</sup> Respondent for taking suitable action. The 3<sup>rd</sup> Respondent passed an order vide G.O.(Ms.) No.189 dated 04.08.2022 accorded Administrative Sanction for Rs.133.35 Crore to construct additional amenities buildings through men of the 14<sup>th</sup> Respondent, the sponsor as agreed by the 11<sup>th</sup> Respondent.
14. I respectfully submit that the 2<sup>nd</sup> Respondent vide Letter No.13619/EC.3/2022-1 dated 10.08.2022 forwarded the proposal of the 11<sup>th</sup> Respondent received from the 5<sup>th</sup> Respondent for Clearance under Coastal Regulation Zone Notification 2011 for Construction of additional amenities buildings along with all necessary enclosures to the

National Coastal Zone Management Authority, the 1<sup>st</sup> Respondent. The 305<sup>th</sup> Meeting of the State Expert Appraisal Committee (SEAC) held on 23.08.2022 which recommended the proposal for the grant of Environmental Clearance (EC) based on presentation and documents furnished by the 11<sup>th</sup> Respondent.

15. I respectfully submit that in meanwhile the 1<sup>st</sup> Respondent sent a Communication in F.No.11/37/2022-IA-III dated 15.09.2022 to the 5<sup>th</sup> Respondent and informed that as per the 1<sup>st</sup> Respondent's OM No.IA3.12-1/2022-IA dated 26.04.2022, such category B Projects which also required CRZ Clearance shall be granted EC + CRZ by the concerned State Environment Impact Assessment Authority (SEIAA) based on the recommendation of State Coastal Zone Management Authority (SCZMA) and State Expert Appraisal Committee (SEAC). In this regard based on the information submitted by Project Proponent (PP)/the 11<sup>th</sup> Respondent, Essential Detail Sought (EDS) has already been intimated on Parivesh Portal on dated 02.09.202 asking PP/the 11<sup>th</sup> Respondent to apply as per aforesaid OM and the instant Proposal requires EC + CRZ Clearance from SEIAA, Tamil Nadu/the 4<sup>th</sup> Respondent herein and enclosed a Copy of the OM No.IAE.12-1/2022-IA dated 26.04.2022.

16. I respectfully submit that the 4<sup>th</sup> Respondent processed the Proposal Number SIA/TN/MIS/267656/2022 dated 30.06.2022 for the Environment Clearance (EC) under Category B2 and Schedule S.No.8 (a) under the Environmental Impact Assessment Notification'2006 as amended and granted the Environment Clearance (EC) in EC Identification No.EC22B038TN134170 in File No.9203 dated 20.09.2022. While granting Environmental Clearance, the 4<sup>th</sup> Respondent imposed some conditions. The CRZ conditions imposed by DCZMA/the 10<sup>th</sup> Respondent and TNSCZMA/the 5<sup>th</sup> Respondent shall be strictly adhered to and complied with.

- a. Conditions of DCZMA/the 10<sup>th</sup> Respondent. Among Conditions No.1 and 2 of the 10<sup>th</sup> Respondent while recommending the proposal on 27.05.2022 to adhere all the provisions of the Coastal Zone Notification, 2011 and start the construction work only after getting the required Clearances from competent authorities such as Environmental Clearance, Planning permission, Plan Approval, etc. including clearance under the Coastal Regulation Zone Notification, 2011 and other statutory clearances.
- b. SEAC recommended the proposal with a condition the 11<sup>th</sup> Respondent shall furnish CRZ Clearance from the 5<sup>th</sup> Respondent before obtaining Consent to Operate (CTO) from the 6<sup>th</sup> Respondent.
- c. Conditions of TNSCZMA/the 5<sup>th</sup> Respondent- Soft erosion control structures viz. a bio shield may be proposed for controlling the future erosions. The conditions laid by DCZMA/the 10<sup>th</sup> Respondent should be followed.

Additional Conditions of TNSCZMA/the 5<sup>th</sup> Respondent: Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011 and the State Coastal Zone Management plan as drawn up by the State Government. No construction works other than those permitted in Coastal regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

- d. Under Part-B-Specific Conditions- Pre Construction Phase held, the project authorities should advertise with basic details at least in two Local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of clearance. The press releases also mention that a copy of the clearance letter is available with the 6<sup>th</sup> Respondent and also at the website of the 4<sup>th</sup> Respondent. The copy of the press release should be forwarded to the Regional Office of the 1<sup>st</sup> Respondent

located at Chennai and the 6<sup>th</sup> Respondent. A copy of the clearance letter shall be sent by the 11<sup>th</sup> Respondent to the 13<sup>th</sup> Respondent. The clearance letter shall also be put on the website of the 11<sup>th</sup> Respondent.

17. I respectfully submit that without obtaining CRZ Clearance from the 4<sup>th</sup> Respondent, the Hon'ble Chief Minister of Tamil Nadu inaugurated the Construction of additional amenities building at the 11<sup>th</sup> Respondent Temple on 28.09.2022. Subsequently, the 3<sup>rd</sup> Respondent accorded administrative sanction vide two Orders in G.O.No.294 dated 16.12.2022 for Rs.16,60,00,000/- and G.O.No.23 dated 11.01.2023 for Rs.54,77,32,714/- for Construction process. The State Level Expert Committee on Heritage Temple Meeting dated 20.07.2022, 18.10.2022 and 14.07.2023 permitted the 11<sup>th</sup> Respondent to do the repair work inside the Temple. And also started to repair and reconstruction of Archeological and Heritage structures within the 11<sup>th</sup> Respondent Temple. Moreover, the 11<sup>th</sup> Respondent covered the entire construction site Plan for additional amenities buildings by Steel sheets to prevent the Public to access the construction site and started construction work through men of the 15<sup>th</sup> Respondent, the sponsor as agreed by the 11<sup>th</sup> Respondent.
18. I respectfully submit that it is an admitted fact that the Construction and Pooja System of the 11<sup>th</sup> Respondent Temple, Arulmighu Subramaniya Swamy Thirukovil is under Malayalam Thanthirigham. There are two Agamas followed in the Temple, one for Moolavar Thandrasamuchiyam and another for Shanmugar and other deities Kumarathanthiram. The Religious Head of the 11<sup>th</sup> Respondent Temple is Thanthuri of Muttavilai Madam, Kerala. Recently, the Thanthuri of Muttavilai Madam, Kerala performed Balalayam for Gopuram before starting repair work in the 11<sup>th</sup> Respondent Temple. The permission to do work inside the Temple granted by the State Level Expert

Committee of Heritage Temple and Non Heritage Temple of the 7<sup>th</sup> Respondent on which has two representatives of Agama Experts of two for Shaivism viz Dr.Sivs Sri.K.Pitchai Gurukkal, Thiru. Chandrasekhara Battar and two for Vaishnavam viz.Thiru Ananda Sayana Bhattachiyar and Thiru.Govindharaja Bhattar. But not Agama Expert of Malayalam Thanthirigham and without getting the opinion of the Religious Head of the Temple, Thanthuri of Muttavilai Madam. Hence permission was granted by an incompetent Committee 20.07.2022, 18.10.2022 and 14.07.2023 to do repair work to determine what has to be done and what has not been done. Power Tool Machines are used to do repair work and remove marbles which cause damage to the age-old Stone structures in the 11<sup>th</sup> Respondent Temple. .

19. I respectfully submit that according to Project Summary of construction of additional amenities building at the 11<sup>th</sup> Respondent Temple is,

<b>Details</b>	<b>Area</b>
Total Plot Area	2,71,313.39 Sqm
Land area excluding Heritage Buildings before current Construction	2,52,451.00 Sqm
Total Ground Coverage of Existing Buildings	6,223.90 Sqm
Total Ground Coverage of Proposed Buildings	32,218.05 Sqm
Total Ground Coverage Area of all Buildings (15.22%)	38,441.95 Sqm
Roads and Pavements Area (21.31 %)	53,813.45 Sqm
Surface or open Parking Area (12.15%)	30,632.10 Sqm
STP, Solid Waste Disposal, Scarp yard, UG Sump, OHT, and Utilities	2,370.00 Sqm
Greenbelt development Area (34.35%)	86,723.50 Sqm
Beach area (16%)	40,470.00 Sqm

20. I respectfully submit that before starting Construction total Vacant Area is 2,52,451 Sqm out of total Plot area 2,71,313 Sqm. After Construction, 2,11,981 Sqm of Total land Area is going to be used. Remaining vacant Area is going to be 59,332 Sqm. Every year during Kanda Sasti Festival First five days 1,00,000 Devotees per day, on the day of Soorasamharam more than 5,00,000 Lakhs Devotees throng in the Seashore to witness the Soorasamharam between 1.00 PM to 5.00 PM and on the day of Thirukalyanam more than 2,00,000 Lakhs devotees have thronged at the 11<sup>th</sup> Respondent Temple from various parts of Tamil Nadu and neighbouring states. Similarly during Vaikasi Vishagam also. Since my Childhood, a single incident of Stampede has not occurred at the 11<sup>th</sup> Respondent Temple and the devotees without any difficulty congregated. Now, almost 3/4 of the 11<sup>th</sup> Respondent Temple premises are going to be occupied by the buildings. It is very difficult to accommodate devotees which leads to tragedy because of stampedes during Vaikasi Vishagam and Kanda Sasti Festival at the 11<sup>th</sup> Respondent Temple. Moreover Seashore is the venue for Soorasamharam which is located between Bay of Bengal and Moovar Samadhi (Marked as K in the Construction Site Map). But a new structure namely, Soorasamhara Promenade (Building No.21 in the Construction Site Map) is going to be constructed which is located in the CRZ-IA area. No one knows the reason for construction of Soorasamhara Promenade.

21. I respectfully submit that according to Hindu Mythology, temples have a very unique design .The construction of normal houses and constructions related to a Temple are very different. There are many points which are to be taken care of while constructing buildings in the Temple. Valli Cave or Dattatreya's Cave is about 30 meters north of the temple, along the seashore. The cave is carved out of natural sandstone rock that faces east. Two images are installed there; one dedicated to Valli and another to Dattatreya, the God who is an

incarnation of the Divine Trinity Lord Brahma, Lord Vishnu, and Lord Shiva. The Project Consultant/the 15<sup>th</sup> Respondent has prepared a plan to construct near Valli Cave which is not a permissible activity as per the Coastal Regulation Zone Notification 2011.

22. I respectfully submit that in the year 2021, very heavy rain lashed Tuticorin District on 25.11.2021 and a recent flood on 18.12.2023. The 11<sup>th</sup> Respondent temple also inundated and the East side of the Giriprahara Mandabam facing the sea merged with the sea on both occasions. No plan in the Construction Site Plan to prevent inundation in the 11<sup>th</sup> Respondent Temple premises.

23. I respectfully submit that Areas or structures of archaeological importance and heritage sites classified as CRZ-IA areas under Paragraph 7 (i) CRZ-I,- A (k) of the Coastal Regulation Zone (CRZ) 2011 Notification. Paragraph 8 (i) I. CRZ-I,- (i) of the Coastal Regulation Zone (CRZ) 2011 Notification no new construction shall be permitted in CRZ-I except (a) projects relating to Department of Atomic Energy; (b) pipelines, conveying systems including transmission lines; (c) facilities that are essential for activities permissible under CRZ-I; (d) installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department; (e) construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL. (f) development of green field airport already approved at only Navi Mumbai;

24. I respectfully submit that according to Local Level CRZ Map dated 10.05.2022 prepared by the Institute of Remote Sensing, Building No.8A Vallicave- Queue (231 Sqm), Building No.9 Prasadam Distribution Centre (39.40 Sqm), Building No. 10 Special Dharsan Area (983.95), Building No.11 Security Watch Tower (60 Sqm) are purely falling in CRZ-I A areas. Building No.8 Queue Complex (CRZ-IA 1,238.64 Sqm & CRZ-II 182.66 Sqm), Building No.12 Block-D (CRZ-IA

330.84 Sqm & CRZ-II 311.20 Sqm), Building No.21 Soorasamhara Promenadi (CRZ-IA 78.71 Sqm & CRZ-II 4,626.29 Sqm) , Building No.27 Family Cottage-7 (CRZ-IA 31.70 Sqm & CRZ-II 1,044.49 Sqm) are falling both CRZ-IA areas and CRZ-II areas. As per the Local Level CRZ Map Buildings measuring 2,984.35 Sqm purely falling CRZ-IA areas. In exercise of the powers conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 the 1<sup>st</sup> Respondent issued the Coastal Regulation Zone Notification 2011. As per provisions of Paragraph 7 (i) CRZ-I,- A (k) read with Paragraph 8 (i) I. CRZ-I,- (i) of the Coastal Regulation Zone (CRZ) 2011 Notification Any Construction in CRZ-IA areas is not a permitted activity. Construction of additional amenities buildings is not a permissible activity in the CRZ-IA areas under Paragraph 8 of the CRZ Notification 2011. Despite the 11<sup>th</sup> Respondent presently constructing in CRZ-IA areas in Building Nos.8, 8A and 9. And soon will start construction of other buildings falling in CRZ-IA areas as per the Construction Site Plan.

25. I respectfully submit that the 1<sup>st</sup> Respondent clearly stated in the above mentioned Communication in F.No.11/37/2022-IA-III dated 15.09.2022 to the 5<sup>th</sup> Respondent the Construction of the additional amenities buildings at the 11<sup>th</sup> Respondent Premises requires EC + CRZ Clearance from the 4<sup>th</sup> Respondent in the light of the 1<sup>st</sup> Respondent's Office Memorandum in No.IA3.12-1/2022-IA dated 26.04.2022. The 4<sup>th</sup> Respondent granted the Environment Clearance (EC) in EC Identification No.EC22B038TN134170 dated 20.09.2022 under Category B2 and Schedule S.No.8 (a) under the Environmental Impact Assessment Notification, 2006 as amended in Proposal Number in No.SIA/TN/MIS/267656/2022 submitted on 12.04.2022 by the 11<sup>th</sup> Respondent before the 4<sup>th</sup> Respondent. The 4<sup>th</sup> Respondent yet not granted the Coastal Regulation Zone (CRZ) Clearance for Proposal No. IA/TN/CRZ/288661/2022 was considered in the 75<sup>th</sup> Meeting of Thoothukudi District Coastal Regulation Zone Management Authority

and recommended by the 10<sup>th</sup> Respondent to the 5<sup>th</sup> Respondent on 27.05.2022. The 5<sup>th</sup> Respondent considered the proposal in 117<sup>th</sup> Meeting of Tamil Nadu State Coastal Zone Management Authority and recommended it to the National Coastal Zone Management Authority on 20.07.2022. Subsequently, the proposal was forwarded to National Coastal Zone Management Authority by the 2<sup>nd</sup> Respondent on 10.08.2022 which was returned by the 1<sup>st</sup> Respondent on 15.09.2022 in the light of Office Memorandum of the 1<sup>st</sup> Respondent No.12-1/2022-IA, III dated 26.04.2022. Despite this, the 11<sup>th</sup> Respondent started construction work in CRZ-IA areas and CRZ-II areas..

26. I respectfully submit that the 11<sup>th</sup> Respondent before finalizing the Construction Site Plan didn't consult with the local residence. It is not an Industrial project or construction of building or commercial project. Though the Public Consultation is exempted for projects under Category B2 and Schedule S.No. 8 (a) under the Environment Impact Assessment Notification, 2006. But construction of additional amenities buildings related to a Temple where every year more than 50 lakh devotees' throng and day to day life of more than 30,000 local people is affected because of the Devotees Vehicles to the 11<sup>th</sup> Respondent Temple via narrow Streets of Tiruchendur. That is why I filed above mentioned Writ Petition in W.P.(MD).No. 26218 of 2023 to sort out the Traffic issue in Tiruchendur City by to laying a new Two Way Road or Bridge to reach the parking place of the Arulmighu Subramaniya Swamy Thirukovil, without entering into the Tiruchendur Town. Moreover, it is mandatory to conduct a Public Hearing under the Coastal Regulation Zone Notification, 2011.

27. I respectfully submit that it is clearly stated in the EIA Notification 2006, a Note under Paragraph 9. Factors which should be considered (such as consequential development) which could lead to

environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality, "The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z. map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z. (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z. Notification, 1991 for the activities to be located in the CRZ.

28. I respectfully submit that in exercise of Powers conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19<sup>th</sup> February, 1991, the 1<sup>st</sup> Respondent declared the Coastal Regulation Zone 2011 Notification. Hence, the 12<sup>th</sup> Respondent has to obtain the Coastal Regulation Zone Clearance as per provisions of Coastal Regulation Zone 2011 Notification which issued with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands up to its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous

Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.;

29. I respectfully submit that the 11<sup>th</sup> Respondent did not fulfill Condition No.4 of 290<sup>th</sup> Meeting of State Expert Appraisal Committee held on 30.06.2022. It stated the 11<sup>th</sup> Respondent shall furnish CRZ Clearance from the 5<sup>th</sup> Respondent before obtaining Consent to Operate (CTO) from the 6<sup>th</sup> Respondent. It was stated in the minutes of the 305<sup>th</sup> Meeting of State Expert Appraisal Committee held on 23.08.2022, the 11<sup>th</sup> Respondent clarified that there is no demolition and reconstruction of existing Archaeological and Heritage structures involved and only the Existing amenities building & additional buildings are proposed to be modified/constructed which is coming under CRZ-II as under per CRZ Notification 2011. But the 11<sup>th</sup> Respondent replaced the Stone Floor with the Granite Stone base of Thirupanni mandapam (Noted as B in the Construction Plan ) which is an existing heritage structure, and also falls under CRZ-IA category. No construction or developmental activities are allowed. The clearance letter is yet to be put on the website of the 11<sup>th</sup> Respondent.
30. I respectfully submit that the 11<sup>th</sup> Respondent started construction without any valid Coastal Regulation Zone Clearance from the 4<sup>th</sup> Respondent. The 11<sup>th</sup> Respondent started to construct in the CRZ-IA areas which is not a permitted activity to construct additional amenities buildings for Pilgrims. The 11<sup>th</sup> Respondent didn't conduct any Public Hearing as per Office Memorandum No.12-1/2022-IA, III dated 19.04.2010 of the 1<sup>st</sup> Respondent and its subsequent amendment in Office Memorandum No.12-1/2022-IA, III dated 28.09.2011 of the 1<sup>st</sup> Respondent which is mandatory for Coastal Regulation Zone Projects under the Coastal Regulation Zone Notification 2011. Reconstruction of buildings in CRZ-IA areas. No plan in the Construction Site Plan to prevent inundation in the 11<sup>th</sup> Respondent

Temple premises. Permission was granted to repair work inside the Temple premises by an incompetent Committee of the 7<sup>th</sup> Respondent which doesn't have an Agama Expert of Malayalam Thanthirigham and without getting the opinion of the Religious Head of the Temple, Thanthuri of Muttavilai Madam. Hence, I sent my Representation and Complaint on 13.10.2023, 16.10.2023, 02.11.2023, 27.11.2023 02.12.2023, 05.12.2023 through Registered Post and 22.12.2023 through E.Mail on the above said subjects. The 4<sup>th</sup> Respondent forwarded my Complaint dated 16.10.2023 on 02.11.2023 and dated 02.12.2023 and 05.12.2023 on 21.12.2023 to the 5<sup>th</sup> and 6<sup>th</sup> Respondents. The Respondents have not acted either way. I have made out a strong prima facie case and the balance of convenience is in favour of interim orders being passed, as prayed for herein. Construction work is going on daily basis at CRZ-IA areas. It is a matter of Urgency, hence immediate interference of this Hon'ble Court is required. Under these circumstances, I left no other alternative efficacious remedy, except knocking the doors of the Hon'ble High Court by invoking Article 226 of the Constitution of India for the reliefs sought for as under.

For the reasons stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to grant an order of **INTERIM INJUNCTION** restraining the 11<sup>th</sup> Respondent or its Men or Agent to continue Construction as per Construction Site Plan without a valid Coastal Regulation Zone (CRZ) Clearance from the 4<sup>th</sup> Respondent for Proposal No. IA/TN/CRZ/288661/2022 under the Coastal Regulation Zone (CRZ) Notification, 2011 pending disposal of the main Writ Petition pending on the file of this Hon'ble Court and thus render Justice.

Therefore, it is most respectfully prayed that this Hon'ble Court may graciously pleased to issue a **WRIT OF MANDAMUS**, or any other appropriate Writ or Order or Direction to the 4<sup>th</sup>, 5<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> and 13<sup>th</sup> Respondents to take appropriate steps to ensure the 11<sup>th</sup> Respondent to fulfill restrictions of the Government Order in G.O.(Ms).No.22, Municipal Administration and Water Supply (Nee.dhi-1) Department dated 30.01.1997, conditions of Environment Clearance (EC) in EC Identification No.EC22B038TN134170 in File No.9203 dated 20.09.2022 and remove all the unauthorized constructions in buildings falling in CRZ-IA areas (Archaeological and Heritage Sites) under Coastal Regulation Zone (CRZ) Notification,2011 viz Building Nos. 8, 8A,9,10,11,12,21 and 27 of the Construction Site Plan while constructing existing buildings and proposed new buildings at Arulmigu Subramaniya Swamy Thirukovil, Tiruchendur/the 11<sup>th</sup> Respondent Temple and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render Justice.

Solemnly affirmed at Madurai  
after the contents are explained  
to him in Tamil and having understood  
the same on this 25<sup>th</sup> day of December'2023.  
and signed his name in my presence

BEFORE ME

**ADVOCATE**

G.Sureshkumar

(Enroll No.325/2010) Cell:94426 11345.

2010.- B.A.B.L.Tirunelveli Law College,

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**High Court of Madras- Madurai Bench of Madras High Court****Daily Status**

Madurai Bench of Madras High Court  
**In The Court Of** :The Hon'ble Justice  
**Case Number** :WP(MD)/0001086/2024  
B.Ramkumar Adityan **Versus** Secretary  
**Date** : 19-01-2024

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**Business** : Adjourned next week, post along with wp 26218 of 2023  
**Next Purpose** : ADMISSION (WP)

The Hon'ble Justice

**BEFORE THE NATIONAL GREEN  
TRIBUNAL**

**SOUTHERN ZONE BENCH AT  
CHENNAI**

**Original Application No. 124 of  
2024**

Aalayam Kaappom

...Applicant

And

Joint Commissioner/ Executive  
Officer & 4 Ors.

...Respondents

**ADDITIONAL TYPEDSET FILED  
BY APPLICANT**

**COUNSEL FOR APPLICANT**

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K.SANJAY**

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