

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ)
AT CHENNAI**

O.A. No. 171 of 2023 (SZ)

B.Kalyanaraman

...Applicant

Versus

Union of India rep. by the
Secretary to Government, Ministry of Environment
and Forests and Climate Change and 7 others

...Respondents

ADDITIONAL COUNTER AFFIDAVIT OF 8TH RESPONDENT

K.SURENDAR

[Ms.No.1048/2009]

CHENTHOORI PUGAZENDHI

[Ms.No.1073/2009]

B.SASIDARAN

[Ms.No.2400/2016]

Counsel for 8th Respondent

Ph.: 98847 11274

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ)
AT CHENNAI**

Original Application No.171 OF 2023 (SZ)

BETWEEN

R.Kalyanaraman

S/o Rangasamy

No.44, Brindhavanam 1st Cross Street,

Pondichery-605013 - 628 601

...APPLICANT

Vs

1. Union of India

Rep by the Secretary to the Government,

Ministry of Environment and Forests and Climate Change,

Government of India, Paryavaran Bhavan,

New Delhi-110003.

E-Mail: secy-moef@nic.in

2. The Member Secretary,

State Level Environment Impact Assessment Authority Tamil Nadu,

3rd Floor, Panagal Maligai, No.1, Jeenis Road,

Saidapet, Chennai – 15.

E-mail: cmantnseiaa@yahoo.com

3. The State of Tamil Nadu

Rep. by the Secretary to Government,

Department of Environment and Forest, Government of Tamil Nadu,

Fort St. George, Chennai – 600 003.

E-mail: tn@envis.nic.in



4. The Chairman,

Tamil Nadu Pollution Control Board,
76, Mount Salai, Guindy, Chennai – 32.
E-mail: tnpbcocmms@gmail.com

5. The District Environmental Engineer,

Tamil Nadu Pollution Control Board,
42-D, S.N.R.College Road,
Peelamedu, Coimbatore – 641 004.
Phone: 0422 – 2566608
E-mail: tnpbcbs@gmail.com

6. The Director,

Directorate of Town and Country Planning,
2nd 3rd and 4th Floor, CMDA Campus,
E&C Market, Koyambedu,
Chennai – 600 107.
E-mail: ctcpn@tn.gov.in

7. The Member Secretary,

The Coimbatore Local Planning Authority,
Coimbatore.

8. G Square Realtors Private Limited,

No.14, 3rd Floor,
Harrington Apartment,
No.98, Harrington Road, Chetpet,
Chennai – 600 031.
E-mail: marketing@gsquarehousing.com

....Respondents



A. Mohamed Yusoff

ADDITIONAL COUNTER AFFIDAVIT OF THE 8TH RESPONDENT

I, Mohamad Yassin, S/o Akbar Basha, aged 31 years, Senior Manager, G Square Realtors Private Limited and having office at Flat No.14, 3rd Floor, Harrington Apartment, No.98, Harrington Road, Chetpet, Chennai – 600 031, do hereby solemnly affirm and sincerely state as follows:-

1. I am currently employed as the Senior Manager in the 8th Respondent Company and I am an authorized representative of the 8th Respondent Company, having been so appointed vide a Board Resolution dated 01.11.2023 and as such I am conversant with the facts and circumstances of the case set out hereunder and am competent to swear this affidavit on behalf of the 8th Respondent.

2. I state that I am well acquainted with the facts and circumstances of the case from records available with me and from the 8th Respondent's office. The earlier counter affidavit dated 11th March, 2024 may be read as part and parcel of this affidavit.

3. I am filing this affidavit in response to the counter affidavit dated 21st May, 2024 filed by the 2nd respondent herein, since the same has been filed under an erroneous understanding, without proper appreciation of the ground reality.

4. The averment in paragraph 9 of the counter affidavit of the 2nd respondent that the 8th respondent had launched Phase-II project covering an extent of 230.4065 Acres (93.28 Hect.) is factually incorrect. The extent of the layout namely 'City 2.0' is only 109.55 Acres (44.33 Hect.) and the same is not adjoining the earlier layout namely



A. Mohamad Yassin

'G Square City' Layout. Both the layouts are separated by more than 15 acres of intervening space that includes a pre-existing public road (S.No.100); a water body (S.No.106) and other private lands. There is no common access road or a common boundary for the two layouts. Hence, it is far-fetched and absurd to claim that the second layout is an expansion of the earlier layout and as such the provisions of the EIA Notification 2006 are not applicable to the case on hand.

5. It is evident from a bare perusal of the topographical map submitted by the 8th respondent before this Hon'ble Court that the two layouts are not adjoining or adjacent to each other. Consequently, the apprehension that the second layout is the expansion of the first layout is without any basis and contrary to facts. In other words, the two layouts cannot be construed as a single project merely because they are situated in the same village. While the fact remains that the two layouts are not lying adjacent to each other, the averments in the counter affidavit of the 2nd respondent to the effect that there has been a violation of EIA Notification 2006 are clearly not sustainable.

6. Further, the first layout (presently named G Square City) was originally developed by Emaar MGF Land Limited in the year 2019 and was subsequently taken over by the 8th respondent in the year 2022. The said layout namely, 'G Square City' was registered with RERA on 25.02.2022 and the other layout namely, 'City 2.0' was developed by the 8th respondent after completion of the first layout and it was registered with RERA only on 30.03.2023. Further, both the lands that are situated apart were owned by different entities. Hence, there is no basis to hold that the said two layout form part of a single project.



Therefore it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with exemplary costs and thus render justice.

Solemnly affirmed and signed
his name in my presence on this
the 22nd day of July, 2024
at Chennai.

A. Mohan


BEFORE ME

 (ANAND. G. S.)
MS. 603/2020
No. 137, Kumanan Kundil 7th St,
Mettukuppam, Okkiam Thuraiyakkam,
ADVOCATE, CHENNAI Ch-97

