

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

Original Application No. 215 of 2025

IN THE MATTER BETWEEN:

Ajeesh & Anr.

... **Applicants**

Versus

State of Kerala & Ors.

... **Respondents**

COUNTER AFFIDAVIT FILED BY THE 5TH RESPONDENT
(THURAYUR GRAMA PANCHAYAT)

THROUGH

SHIBU VM (K/2043/2023)

HAMEED SHABLAN(K/931/2022)

GOPIKA KV(K/4618/2024)

AISWARYA KS (K/1595/2024)

SHERIN ANWAR (K/2066/2025)

COUNSELS FOR THE 5TH RESPONDENT

FORTIS LEX CHAMBER LAW FIRM

Sunny Tower, 2nd floor, Mathai Manjooran Road,
Near High Court of Kerala, Ernakulam-682 018.

96452263691 99111437011 fortilexofficial@gmail.com

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Shibu VM

Counsel for the 5th Respondent

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... Respondents

COUNTER AFFIDAVIT FILED BY THE 5TH RESPONDENT
(THURAYUR GRAMA PANCHAYAT)

I, Krishnakumar k aged 55 years S/o kelappan T, Sathgamaya House mudadi Po Kozhikode District Kerala 673307 and working as Secretary, Thurayur Grama Panchayat, payyoli, Angadi PO Kozhikode District, 673523 do hereby solemnly affirm and state as follows:

1. I am the Secretary of the Thurayur Grama Panchayat, who is arraigned as the 5th Respondent in the above Original Application. I am competent and authorized to swear this affidavit on behalf of the said Respondent. I am filing this Counter Affidavit along with the Vakalathnama to place the appearance of the Panchayat on record.
2. At the outset, I respectfully deny the allegation of "administrative inaction" raised by the Applicants against the Panchayat. I submit that the Panchayat has been vigilant in issuing notices and taking statutory steps under the Kerala Panchayat Raj Act, 1994, to address the violations committed by the 11th Respondent (M/s. Payyoli Granites Pvt. Ltd.).
3. I respectfully submit that prior to taking coercive steps, the Panchayat had issued a strict Show Cause Notice to the 11th Respondent, calling upon them to explain why the D&O License should not be cancelled and the unit closed down for the continuous violations and failure to comply with statutory conditions.



DEPONENT

(Secretary, Thurayur Grama Panchayat)

4. I submit that the 11th Respondent has failed to submit any reply or satisfactory explanation to the said notice within the stipulated time. Having afforded the Respondent an opportunity of being heard, which they have failed to utilize, the Panchayat has resolved to proceed with enforcement.
5. Consequently, the Panchayat Governing Body has finalized the decision to enforce the immediate closure of the illegal crusher unit and authorized land development activities. I submit that the Panchayat has invoked Section 252 of the Kerala Panchayat Raj Act, 1994, requesting police assistance to physically seal the unauthorized machinery and evict the workers from the site. This enforcement action is scheduled to be executed by 24th January.
6. In light of these ongoing enforcement proceedings, it is just and necessary that this Hon'ble Tribunal grants a short accommodation of time to enable the Panchayat to file a detailed "Action Taken Report" along with the Mahazar and Final Closure Order, proving that the grievance in the application has been substantively addressed by the Panchayat.
7. It is therefore prayed that this Hon'ble Tribunal may be pleased to accept this Vakalathnama and Counter Affidavit and grant short time to file a detailed Counter Affidavit along with proof of the enforcement action.

All the facts stated above are true to the best of my knowledge, information, and belief.

Dated this the 21st day of January, 2026.




സെക്രട്ടറി
തൂറയൂർ ഗ്രാമപഞ്ചായത്ത്

DEPONENT

(Secretary, Thurayur Grama Panchayat)

VERIFICATION

I, Krishnakumar k aged 55 years S/o kelappan T, Sathgamaya House mudadi Po Kozhikode District Kerala 673307 and working as Secretary, Thurayur Grama Panchayat, payyoli, Angadi PO Kozhikode District, 673523 the deponent above named, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Solemnly Affirmed at Ernakulam and signed his name in my presence at Ernakulam on this the 21st day of January, 2026.



സെക്രട്ടറി
തൂരായൂർ ഗ്രാമപഞ്ചായത്ത്
DEPONENT

(Secretary, Thurayur Grama Panchayat)

Shibu VM

Counsel for the 5th Respondent