

Item No. 13:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

Original Application No. 80 of 2022(SZ)

IN THE MATTER OF:

T. Karunapandi,
Thoothukudi District.

...Applicant(s)

Versus

The District Collector,
Thoothukudi District and ors.

...Respondent(s)

Date of hearing: 30.05.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. V. Sakkarapani & Mr. R. Prabhakaran.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R3.
 Ms. Aarti represented
 Mr. Sai Sathya Jith for R4.
 Mr. Kamalesh Kannan for R19 & R20.

ORDER

1. The learned counsel Mr. S. Kamalesh Kannan entered appearance on behalf of Respondents Nos.19 & 20.
2. There is no representation for the other private respondents either in person or through counsel, except for Respondents Nos.19 and 20.
3. In our last order dated 19.04.2023, though we had directed the authorities to file a report regarding the levy of penalty and the action taken pursuant to the same either in collecting a penalty or cancelling their license/permission/approval, no such report has been furnished before us today.
4. The learned counsel appearing for the applicant also produced the communication from the Assistant Director - Department of Mines and Geology to the Sub Collector - Thoothukudi dated 04.11.2022, wherein six of the brick kiln chamber owners were levied with fine, but none of these brick kiln owners are made parties in the present application.
5. Even though the six numbers who are levied with the penalty are not before us, let the Department of Mines and Geology take appropriate action against them.

6. The Tamil Nadu Pollution Control Board also has not filed any report in this regard. It is now complained by the applicant that both illegal mining as well as brick kiln activity is going on.
7. Let the Department of Mines and Geology file a detailed report as to which respondent is carrying what kind of activity, and whether they have valid license/approval/consent from the appropriate authorities.
8. The Tamil Nadu Pollution Control Board is also directed to inspect the brick kiln chambers and file a detailed report besides stating whether they obtained appropriate consent from them.
9. In the event, either the Pollution Control Board or the Mines and Geology Department find any one of these private respondents is carrying on the activity illegally, it is open to them to take appropriate action as per law.
10. Post the matter on 27.07.2023.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.80/2022(SZ)
30th May, 2023. AD.