

Item No. 02:

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

Original Application No.152 of 2023 (SZ)

(Through Video Conference)

IN THE MATTER OF

Kumaresan Sooluran,

... Applicant(s)

Versus

The Tamil Nadu CZMA & Ors.

...Respondent(s)

Date of hearing: 04.10.2023.

CORAM:

HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. A. Yogeshwaran.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R5.

ORDER

1. This is an application where the applicant is seeking a direction to the Department of Fisheries and Wetlands Authority of Tamil Nadu to take action against the spread of an invasive South American mussel species (*Mytella strigata*) which is threatening to wipe out commercially important prawn fisheries in the Ennore - Pulicat wetlands and also impacting the ecosystem. Urgent action is required to ensure that the wetland ecosystem and livelihood are protected.
2. It is stated that the mussel spreads like a carpet over the river bottom preventing prawns from grazing or burying themselves in the river sediment. It is also stated that Phytoplankton availability is also depleted and conditions are made hostile, as a result of which, shrimps cannot survive in these waters. It is also submitted that the mussel which is locally called as Kaaka Aazhi spread is also wiping out the locally prevalent and commercially valuable Yellow Clams (*Manja Matti*) and Green Mussels (*Pachai Aazhi*).
3. Further, it is stated that these invasive mussels suck in and process hundreds of litres of water every day resulting in a water column that is clear instead of turbid and the river bottom is suffocated with foot deep sludge of black, foul- smelling slimy excreta. Hence, the applicant has sought for above prayer.

4. The Learned Government Pleader, who was to take notice for the respondents, vehemently opposed that this species Kaaka Aazhi (*Mytella strigata*) is alien species which has an entry in the Wildlife Protection Act, 1972 and that this Tribunal does not have jurisdiction as the Wildlife Protection Act, 1972 is not listed in Schedule-I.
5. The said aspect has to be examined at the time of hearing. Hence, notice is issued to the respondent nos. 1 to 5 which is accepted by Dr. D. Shanmuganathan.
6. To be noted is that already the Fisheries Department has conducted a study in this regard in the month of March, 2023 and the applicant has also attached the copy of the said report.
7. Let the Fisheries Department and the Wetlands Authority file a detailed and comprehensive report in response.
8. In the study report referred above, the Joint Director has already stated that as an immediate measure a portion of the creek where the invasion of the mussel is more may be dredged. Let the Government furnish information as to whether the act of dredging has already begun or any action plan has been prepared by the Fisheries Department.

9. Let the matter be listed on 06.11.2023.

.....J.M.
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.
(Dr. Satyagopal Korlapati)

O.A.No.152/2023 (SZ)
04th October, 2023. AM.

