

Item No.10:-

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

(Through Video Conference)

Original Application No.152 of 2023 (SZ)

IN THE MATTER OF:

Kumaresan Sooluran
Thiruvallur

...Applicant(s)

With

Tamil Nadu Coastal Zone Management Authority
Rep. by its Member Secretary
Chennai and Ors.

... Respondent(s)

Date of hearing: 08.08.2024.



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. As early as on 14.12.2023, the Executive Engineer – Water Resources Department (WRD), Araniyar Basin Division, Chennai filed a report, wherein it is stated that the Kaaka Azhi ('Mytella Strigara' / Charru Mussels) had grown aggressively up to a height of 0.15 Meter to 0.30 Meter from the top of the water level. Due to the Kaaka Azhi infestation, severe choking with 0.30 Meter depth of sludge and also disruption to the boat movement in the Kosasthalaiyar backwater.

2. It is also stated that the team of fisher folk had approached the Additional Principal Chief Conservator of Forests and Member Secretary, Tamil Nadu State Wetland Authority on 12.10.2022 complaining about the same. The fishermen also suggested that the WRD has to take up the bathymetric survey to determine the quantity of silt accumulated in the Kosasthalaiyar backwater and Buckingham Canal at Karrukumaram Paadu areas. The said subject was addressed to the Additional Chief Secretary to Government - Department of Environment, Climate Change and Forest on 16.08.2023.

3. In the very same report, it was stated that the Additional Chief Secretary to Government - Water Resources Department would get the necessary approval from the Government for the removal of invasive species viz., Charru Mussels by dredging the Kosasthalaiyar backwater. By that time, the invasive species had spread over a length of 06 Kms from the Kosasthalaiyar backwater to Ennore Creek and Pazhaverkadu

mouth, which affected the growth of white prawns, tiger prawns, black prawns, sand prawns, green crab, mullet, etc.

4. The said report also expressed concern about removing the invasive species and estimating the amount of dredging the backwaters for ecological restoration and to restore the livelihood of the fisher folk. It was also stated that dredging would be done with the collaboration of WRD either with their sole contribution of Rs.8.50 Crores or with funding of 20% from the Tamil Nadu State Wetland Authority i.e. Rs.1.70 Crores and 80% from the WRD i.e. Rs.6.80 Crores.

5. It appears that after the said report is filed, no action has been taken so far.

6. The learned counsel appearing for the applicant would report that the spread is very rapid and it has to be controlled immediately. However, the learned counsel appearing for the State of Tamil Nadu would state that it would be three ports viz., Ennore Port, Chennai Port and Kattupalli Port are responsible, which could have entered the water only through ships operated through them.

7. Be that as it may, we are disappointed the way in which the WRD is dealing with the issue. Even if any of the port trusts or any ports are responsible for bringing the invasive species, the State Government has to address the issue first and then recover the expenditure from the wrongdoers. Despite the passage of more than seven months, the State Government has

not taken any action in this regard, knowing well that each day's delay would cause irreparable loss.

8. In such circumstances, we have left with no other option except to direct the Chief Secretary to Government, State of Tamil Nadu to convene a meeting with the appropriate officials viz., (i) Principal Secretary to Government – Environment, Climate Change and Forests Department, (ii) Principal Secretary to Government – Fisheries Department, (iii) Principal Secretary to Government – Water Resources Department, (iv) Member Secretary – Tamil Nadu State Wetland Authority and (v) Chairman of three Ports viz., Ennore Port, Chennai Port and Kattupalli Port, at the earliest and file a detailed report regarding the controlling of the further spread of the Kaaka Azhi (Charru Mussels), the action taken and to be taken before the date of next hearing.

9. Post the matter on 27.08.2024.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.152/2023(SZ)
08th August, 2024. Mn.

Copy to:

The Chief Secretary to Government,
State of Tamil Nadu.