

Item No.1 to 6:

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

(Through Video Conference)

**Original Application No.113 of 2022 (SZ)
TO
Original Application No.118 of 2022 (SZ)**

IN THE MATTER OF:

K. Mohan Kumar, Coimbatore.

...Applicant(s)

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

Versus

WITH

P. Balasubramanian, Coimbatore.

...Applicant(s)

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

Versus

WITH

Selvakumar Nadaraj, Coimbatore.

...Applicant(s)

Versus

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

WITH

A. Sundaram, Coimbatore.

...Applicant(s)

Versus

The Member Secretary,

SEIAA, Chennai and Ors.

...Respondent(s)

WITH

A. Sundaram, Coimbatore.

...Applicant(s)

Versus

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

WITH

A. Sundaram, Coimbatore.

...Applicant(s)

Versus

The Member Secretary,
SEIAA, Chennai and Ors.

...Respondent(s)

Date of hearing: 21.10.2022.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. Venkatasubban.

For Respondent(s): Mrs. Me. Sarashwathy for SEIAA-TN.
Dr. D. Shanmuganathan for State Respondents.
Mr. S. Sai Sathya Jith for TNPCB.

ORDER

1. In all these applications, the complaint of the applicant is that the project proponent though have obtained the Environmental Clearance (EC), had violated the EC conditions viz., (i) Have mined in excess

than the quantity permitted, (ii) Blasting is done in the site when the same is also prohibited, (iii) Project Proponent had not raised proper barriers to reduce noise level, dust pollution and other materials like metal sheets etc. Therefore, there is no greenbelt provided in surrounding area.

2. In this regard, we direct the District Collector - Coimbatore District or any other officer not less than the rank of Revenue Divisional Officer to inspect the site and file a detailed report addressing the issues raised in all these applications.
3. The State Pollution Control Board is also a necessary party here, as one of the conditions in the Environmental Clearance (EC) is that the project proponent should have obtained the Consent to Operate from the Pollution Control Board.
4. In the interest of the justice, we Suo Motu implead the Tamil Nadu Pollution Control Board as party respondent No.6 in O.A. Nos.113/2022, 114/2022, 117/2022, 118/2022 and 5th respondent in O.A. Nos.115/2022 and 116/2022.
5. We also direct the Tamil Nadu Pollution Control Board to file an independent report after visiting the site adverting to the allegations made in the applications.
6. Mrs. Me. Saraswathy, the learned counsel accepts notice for SEIAA - Tamil Nadu, Dr. D. Shanmuganathan, the learned counsel accepts notice for State Respondents and Mr. S. Sai Sathya Jith, the learned counsel accepts notice for newly impleaded party viz., TNPCB.

7. The learned counsel for the applicant is directed to deposit the requisites to the Registry and also serve the papers on the respective counsels who have accepted notice.
8. Issue notice to the 5th respondent through Tribunal as well as privately.
9. Post the matter on 18.11.2022.



Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

O.A. No.113/2022 (SZ) to
O.A. No.118/2022 (SZ)
21st October, 2022. Mn.

