

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 777/2024

News Item titled "The great beach robbery Chennai's coastal zone marred by encroachment digging of borewells" appearing in The Times of India dated 14.06.2024

Date of hearing: 10.07.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This original application is registered *suo-motu* on the basis of the news item titled "The great beach robbery Chennai's coastal zone marred by encroachment digging of borewells" appearing in The Times of India dated 14.06.2024.

2. The matter relates to illegal construction and encroachment near Arupadai Veedu Murugan Temple in Besant Nagar's Kalakshetra Colony in Chennai (Tamil Nadu). The article alleges that the Chennai Metropolitan Development Authority (CMDA) may be waiting for approval from the Tamil Nadu State Coastal Zone Management Authority (TNSCZMA) to carry out the Rs 100 crore beach redevelopment projects, but encroachers are busy constructing pukka houses and drilling borewells on sands in the area.

3. As per the news item, constant debris and garbage dumping at the beach near the Arudapai Veedu Murugan Temple is blocking a natural flood water channel. Furthermore, 30 pucca houses and four huts encroach the beach sands. Foundations for even more houses have been

laid and borewells have been dug. Two unauthorised 'roads' one 150m long and the other 200m —leading to the temple from Thiruvanmiyur Kuppam have also been laid.

4. The news item highlights that such unauthorized construction can disturb fresh water sources, allowing saltwater intrusion into aquifers and wells. It can also impact the Olive Ridley Turtle nesting sites. Soil erosion and floods can be another outcome as beaches act as natural buffers.

5. The above matter indicates violation of the provisions of the Coastal Regulation Zone Notifications 2019 and the Environment Protection Act, 1986.

6. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

7. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

8. Hence, we implead the following as respondents:

- i. Ministry of Environment, Forest and Climate Change, Through Regional Office
1st Floor Additional Office Block for GPOA, Shastri Bhawan, Haddows Road, Nungambakkam, Chennai- 600006
- ii. Chennai Metropolitan Development Authority, Through its Member Secretary

Thalamuthu-Natarajan Maaligai & 39; No.1, Gandhi Irwin Road,
Egmore, Chennai – 600008

iii. Tamil Nadu State Coastal Zone Management, Department of
Environment, Climate Change and Forests, Government of
Tamil Nadu, Through its Principal Secretary
Department of Environment and Climate Change No.1, Jeenis
Road, Panagal Building, Ground Floor, Saidapet, Chennai-
600015

9. Issue notice to the respondents for filing their response before the
appropriate bench of the Tribunal at least one week before the next date
of hearing.

10. Since the matter relates to the Southern Zonal Bench, Chennai,
therefore, OA is transferred to the Southern Zonal Bench. Therefore, the
original record of this OA be transferred to the Southern Zonal Bench,
Chennai for further action.

11. List before Southern Zonal Bench at Chennai on 11.09.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 10, 2024
O.A. No. 777/2024
HB