

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

**Application No.44 of 2015 (SZ)**



सत्यमेव जयते

**IN THE MATTER OF:**

Mr. S. Yuvaraj

Son of Subramani

1-7/31, Karumbalikadu

Akkammapettai Post

Sankari Taluk

Salem District

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Applicant(s)

**AND**

1. Secretary to Government

Revenue Department

Fort St. George

Guindy

Chennai.600 009

**NGT**

2.The Commissioner of Revenue

Administration

Chepauk

Chennai.600 005

3.The District Collector

Collectorate

Salem

Salem District

4. The Revenue Divisional Officer

Sankari

Sankari Taluk

Salem District.

5. The Tahsildar

Sankari

Salem District

6. The Executive Officer

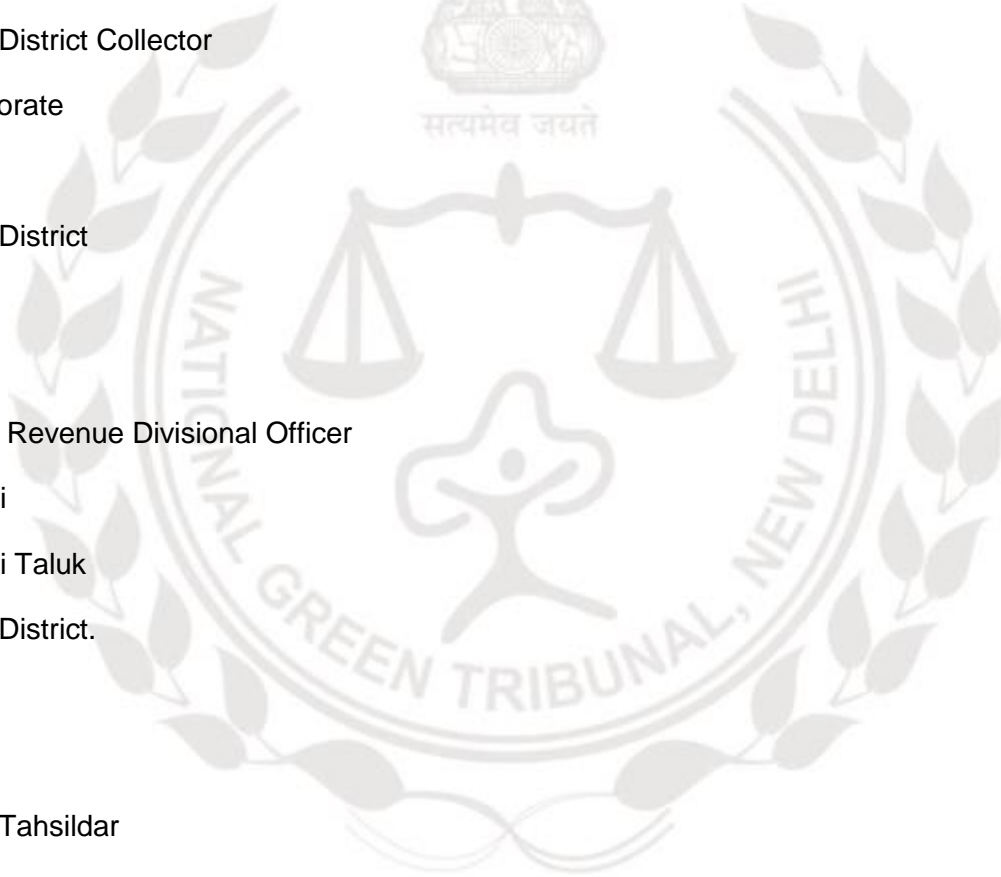
Selection Grade Town Panchayat

Sankari

Salem District.



सत्यमेव जयते



NGT

7. The State Environmental Officer  
Tamil Nadu Pollution Control Board  
Guindy Industrial Estate  
Chennai.600 032.

8. The District Environmental Officer  
Tamil Nadu Pollution Control Board  
Alagapuram  
Salem  
Salem District-636 004



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Respondent(s)

**Counsel appearing for the Applicant:**

**Mr. Elango**

**Counsel appearing for the Respondents:**

**Mr. K.R. Gokul Krishnan for R-1, R-3, R-4 and R-5**

**Mr. Abdul Saleem and**

**Mrs. Vidyalakshmi for R-2 and R-6.**

**Mrs. H. Yaseem Ali for R-7 and R-8**

**ORDER**

**PRESENT:**

**HON'BLE SHRI JUSTICE Dr. P. JYOTHIMANI, JUDICIAL MEMBER**

**HON'BLE PROF. Dr. R. NAGENDRAN, EXPERT MEMBER**

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**Dated 4<sup>rd</sup> February, 2015**

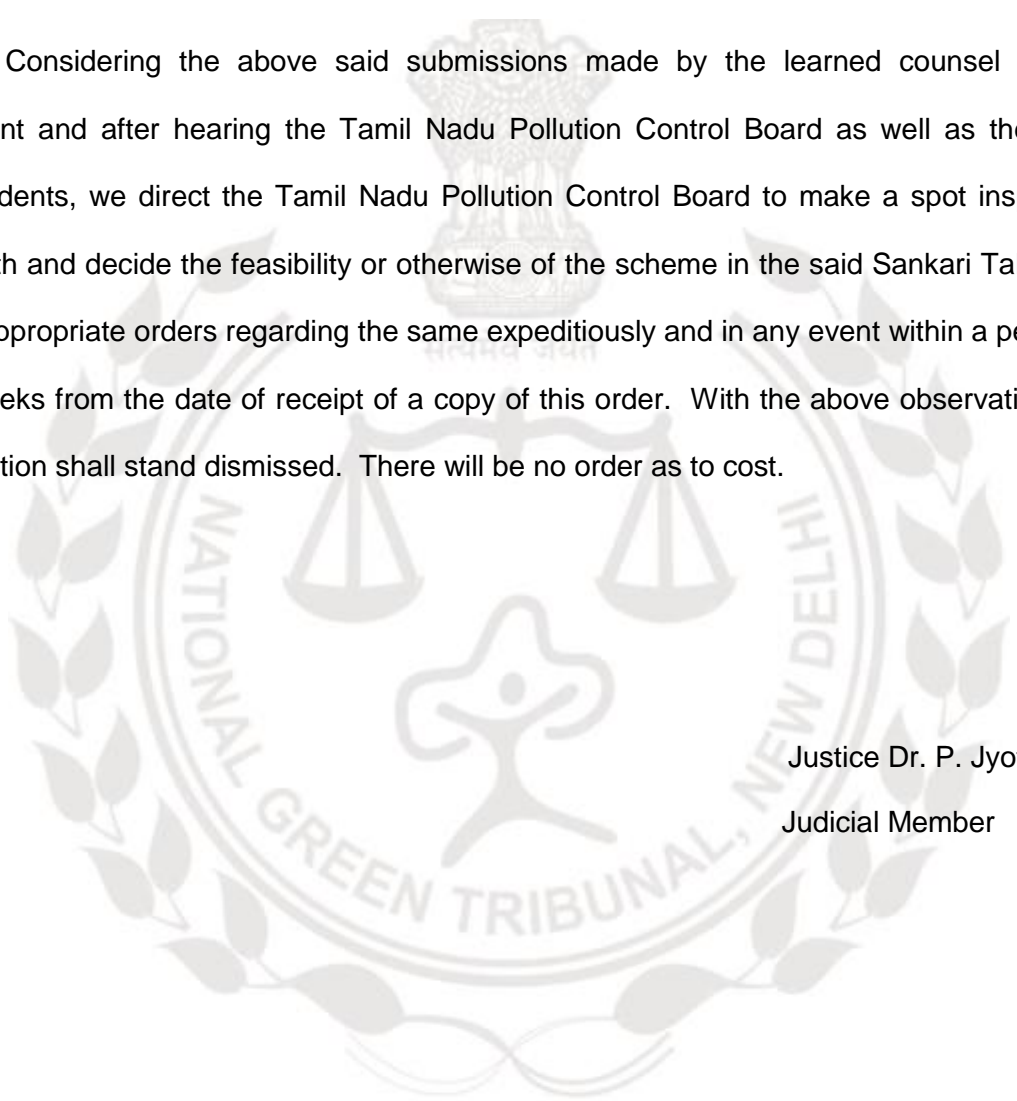
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We have heard the learned counsel for the applicant and respondents and perused the records. The applicant is challenging the order of the District Collector, namely 6<sup>th</sup> respondent dated 26.11.2014 by which the District Collector has rejected the representation made by the applicant and other residents of the area for the purpose of giving up the place allotted for Solid Waste Management (SWM) in the Fertilizer Park in Sankari Town Panchayat. On a perusal of the impugned order, it is clear that the Collector, while handing over the land to the Town Panchayat for the purpose of constructing the MSW process in Sankari Town, has taken note of every aspect into consideration including the cultivating lands, as well as the residential areas. In fact, the Collector has on enquiry come to the conclusion that there is no case for such dispute at all. On the other hand, the Collector, in our view, has taken a correct stand by implementing the Natural Fertilizer Park in the concerned land taking note of the fact that it will not cause any health hazard and it will not affect any cultivating lands and ground water.

The learned counsel appearing for the applicant would however submit that the Collector has not sought permission from the Tamil Nadu Pollution Control Board (Board). According to him, a School is situate in the nearby area which may be affected by the project. His contention is that if the Board is directed to inspect the spot taking note of this

aspect about the existing of the School and take an appropriate decision, he will be satisfied.

Considering the above said submissions made by the learned counsel for the applicant and after hearing the Tamil Nadu Pollution Control Board as well as the other respondents, we direct the Tamil Nadu Pollution Control Board to make a spot inspection forthwith and decide the feasibility or otherwise of the scheme in the said Sankari Taluk and pass appropriate orders regarding the same expeditiously and in any event within a period of two weeks from the date of receipt of a copy of this order. With the above observation, the application shall stand dismissed. There will be no order as to cost.

The seal of the National Green Tribunal, New Delhi, is a circular emblem. It features a central figure of a person with arms raised, symbolizing environmental protection or justice. Above the figure are two scales of justice. The emblem is surrounded by a laurel wreath. The text 'NATIONAL GREEN TRIBUNAL, NEW DELHI' is inscribed around the perimeter of the seal.

Justice Dr. P. Jyothimani  
Judicial Member

NGT

Prof. Dr. R. Nangendran  
Expert Member