

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Application No. 33 of 2014 (SZ)**

In the matter of:

K.G. Mohanaraman  
S/o. Govinda Naicker  
Sandhi Pattai Street  
Kayar Village and Post  
Thiruporur Taluk  
Kanchipuram District

...

Applicant

AND

1. The Tamil Nadu Pollution Control Board  
Rep. by its Chairman  
No.76, Anna Salai, Guindy  
Chennai.
2. The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
No.6, Sivashanmugam Road  
Tambaram  
Chennai- 600 045
3. The Tamil Nadu Transmission  
Corporation Limited (TANTRANSCO)  
Rep. by its Chairman  
10<sup>th</sup> Floor, NPKRR Maligai  
144, Anna Salai  
Chennai- 600 002
4. M/s. Gammon India Private Limited  
rep. by its authorised representative  
Eswaran Kovil Street  
Sothupakkam

Counsel appearing:

Applicant ... M/s. Muthumani Doraisami, Kandhan Doraisami and S. Sivapandi, Advocates led by Shri Doraisami, Senior Advocate.

Respondents ... Shrimathi H. Yasmeen Ali, Advocate for respondent No. 1 and 2  
M/s. M.K. Subramanian and M.R. Gokul Krishnan, Advocates for respondent No. 3  
M/s. Abdul Saleem, M.R.Gokul Krishnan and P. Gnanasekaran, Advocates for respondent No. 4  
Shri K. Prabu and Parivallal , Advocate for respondent No. 5

ORDER

Present:

1. Hon'ble Shri Justice M. Chockalingam  
Judicial Member
2. Hon'ble Prof. Dr. R. Nagendran  
Expert Member

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Dated, 22<sup>nd</sup> April, 2015

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(Hon'ble Shri Justice M. Chockalingam, Judicial Member)

This application has been filed by the applicant herein praying for restraining the respondent Nos. 4 and 5 and their men and agents from laying high power transmission lines through the agricultural lands of the applicant and other agriculturists of Kayar village and Vembedu village

destroying the ecological balance of the said villages. The brief facts of the case of the applicant can be stated as follows:

2. The applicant herein is an agriculturist owing agricultural lands in Kayar village and a resident of the said village. The 4<sup>th</sup> respondent herein formulated a scheme for laying Super High Tension Transmission (HTTL) from Pugalur to Ottiampakam village in Sholinganallur Taluk passing through the villages of Vembedu and Kayar. However, the people of the locality as well as the village *Panchayat* were never made aware about the said proposal of the laying of HTTL by the 4<sup>th</sup> respondent. The 4<sup>th</sup> respondent has proposed foundation pits to a depth of 20 m for supporting the massive structure and 4 40 ft x 34 ft pits for each tower in the above scheme. These pits are laid arbitrarily in private lands without any notice intimating about the said proposal and consequences arising thereof. An extent of 36 cents of land is dug up to a depth of 20” for installing the 4 towers put together which roughly covers an area of 126” x 124” leaving intermittent gaps and about 54,000 cft concrete is laid to fill the excavated pits. Such a massive laying of concrete will severely obstruct or cause damage to the underground water streams which charge the shallow percolation wells which the farmers have developed and these steams will go completely or partially dry. The area does not have sufficient underground water and the wells

in the lands are the only source for cultivation and blocking the wells will destroy the entire cultivation. Even if the activity is done for the larger public good, it has to be done in accordance with law. In the instant case, no notice was given to the farmers whose lands are being encroached for laying the foundation pillars for the tower base through which the HTPL will be connected with heavy duty cables and under the guise of laying poles, the 4<sup>th</sup> respondent is proposing to lay towering structures which will completely jeopardize the ecology of the total village and affect the life of agriculturists and small farmers of Kayar and Vembedu villages.

3. The 4<sup>th</sup> respondent is duty bound to study the environmental impact caused by the project and should take prompt steps to keep the impact at minimum with the coordination of the Environment Department and Agriculture Department. However, the 4<sup>th</sup> respondent in the instant case is not even bothered to conduct the study or survey about the impact of the project on the ecology, crops and the people.

4. The HTTL were laid upto Vembedu village mostly in Government lands and the 4<sup>th</sup> respondent's proposal from Vembedu village to Kayar village is aligned in the centre of the village where there are dense vegetation wherein the farmers have raised casuarinas/fruit bearing trees and other agricultural crops in their respective lands which

normally grows to a height of 70 to 90 ft and the towers of the 4<sup>th</sup> respondent is of approximately the same height. The proposed route selected by the 4<sup>th</sup> respondent for the HPTL *via* Vembedu village and Kayar village is patently wrong and incorrect since an alternative route is readily available through *poromboke* and Government land along the periphery of the village thus avoiding the *patta* lands. While the villagers of Vembedu and Kayar villages are not against the public project and when an alternative and viable alignment is readily available through Government lands in the periphery of these villages, the authorities should not have taken a decision that will affect the ecology of the villages and the livelihood of about 1,000 agriculturists living in these villages.

5. When they came to know about the 4<sup>th</sup> respondent's project, the farmers objected to the same and also submitted their objections to the Chairman of the 4<sup>th</sup> respondent department and also to the District Collector. The *Panchayats* of Vembedu and Kayar villages as well as the *Grama Sabha* of these villages have passed resolutions to this effect and the 4<sup>th</sup> respondent did not even consider the objections raised by the farmers and their suggestion on about the availability of the alternative route. There is no practical problem in taking the alternative route as suggested by the farmers and the 4<sup>th</sup> respondent only with the

sole intention to facilitate the contractor, did not consider the objections raised by the farmers and which would appease the vested interest of the contractor who would otherwise be burdened by taking more number of permissions from the local authorities in taking the alternative alignment suggested by the farmers.

6. In a similar issue GAIL India Ltd. (GAIL) a Government of India undertaking proposed to lay 'Kochi-Kootanad-Mangalore-Bangalore Pipe Line Project' for supplying natural gas, compressed natural gas and piped natural gas and on notice from GAIL, the concerned land owners whose lands were to be used for laying gas pipe line submitted their objections. Since a large number of objections were received from the farmers, the State Government directed the GAIL to lay pipelines along the National Highway without affecting the agricultural lands. The GAIL moved Hon'ble High Court against the State Government's direction and the Hon'ble Supreme Court is now seized of the matter and the granted interim order in favour of the agriculturists.

7. The proposal of the 4<sup>th</sup> respondent for laying HPTL *via* Vembedu and Kayar villages is against the national policy and principles of the State Government whose aim is to safeguard the poor farmers of the State and also to maintain the ecological balance by safeguarding agricultural lands. The soil depletion occurs when the components

which contribute to fertility are removed and not replaced. Topsoil depletion occurs when the nutrient rich organic top soil which takes hundreds to thousands of years to form under natural conditions, is eroded or depleted of its original organic material. Such massive scale of digging and filling can alternatively replace or destroy the surface soil which is home to millions of micro nutrient and micro organisms formed over thousands of years which are essential for agriculture.

8. The Vembedu and Kayar villages are water starved and there is little groundwater for agriculture. The villages over the past 100 years have developed indigenous shallow percolation wells to support their complex agro system. When massive concrete in the order of 54,000 cft is poured into such small areas, it would completely obstruct/block the sensitive water streams and porous and will completely damage the wells in the area. The electromagnetic waves created along this transmission lines have a severe damaging effect on the health and reproduction of the poultry, sheep and cattle on which the farmers are dependent for their economic sustainability. The pollination activity of the fruit bearing trees/crops will be severely affected in view of the absence of insets and birds due to the heavy electromagnetic waves. The casuarinas and other tall growing trees are under high risk of fire even if they are grown at a distance from these cables since they are

highly combustible and sway due to the wind. Most of the farmers and their families are workers themselves in their respective fields working even during nights and staying there in makeshift accommodations. Agricultural works will be at its peak during rainy season and the passage of the lines through the agriculture fields will cause high risk of electric shock to these farmers and their livestock besides causing other economic insurgency due to the laying of each structure under the guise of laying poles under the Telegraphic Act. Having no other efficacious remedy, the applicant herein has filed the application seeking the indulgence of the Tribunal.

9. *Per contra*, the first and second respondents, namely, the Tamil Nadu Pollution Control Board (Board) would state in reply that TANTRANSCO awarded the project of laying High Tension Transmission lines to transmit 440 KVA of electricity from Kalivanthapattu Village, Chengalpattu Taluk, Kanchipuram District to Ottiyampakkam Village, Sholinganalur Taluk, Kanchipuram District. The cost of the said project is Rs.300 Crores for laying about 88 High Tension Transmission Towers. The said site was inspected on 24.03.2014 by the Board officials and it was ascertained that one tower at Vembedu *eri* was under progress. The erection of tower from Kalivanthapattu Village to Vembedu *eri* has been completed. The work



from Vembedu *eri* to Kayar village to Ottiyampakkam village is yet to be taken up due to the pendency of the application filed by the applicant herein before the Tribunal. The work of erection of tower from Kayar village to Ottiyampakkam village is under progress.

10. The erection of High Tension Transmission lines to transmit electricity does not come under the provision of the Water (Prevention and Control of Pollution) Act, 1974 (Water Act) and the Air (Prevention and Control of Pollution) Act, 1981 (Air Act) and hence it does not require consent from the Board under the provisions of the said Acts. Hence, the Board seeks to pass appropriate orders on the applications.

11. The third respondent, namely, the District Collector Kanchipuram, would state in reply that the erection of 400 KVA double circuit line from Pugalur to Ottiyampakkam is a Tamil Nadu Government Scheme and it was widely published in Tamil Nadu Government Gazette on 09.11.2011 and local newspaper by the 4th respondent under Section 28 (3) of Electricity Act, 1948. The application is not maintainable on the sole ground that the applicant seeks to challenge the Gazette notification dated 09.11.2011 after a delay of over two and half a years. The 4<sup>th</sup> respondent has exercised the powers under Section 42 of Electricity Supply Act and Section 10 and 16 of the Telegraph Act, 1885 and no notice is required to be given the owners

before laying the poles nor any consent is required from them, as empowered by the said Electricity Supply Act and Indian Telegraph Act, 1885. So, the action of the 4<sup>th</sup> respondent is not illegal and the 4<sup>th</sup> respondent is exercising his powers under above said Acts in the larger interest of the people and development of the nation. The towers located in the paddy field will not be a hindrance for free flow of water as alleged by the applicant and the proposed route is approved by the Chief Engineer, TANTRANSCO and this 400 KV line is taken as per the approved route. There will not be any environmental impact or degradation by implementing this project but it will be beneficial to the general public. The procedure for the erection of 400 KV line followed by the 4<sup>th</sup> respondent for this project is similar to that is being adopted throughout India and there will not be any impact on ecology, people, crops etc. in this region. Moreover, the survey work for assessing transmission route of this route with reference to base line (BEE line) was entrusted to the Institute of Remote Sensing, Anna University and the survey was been conducted for the above said 400 KV line. The 400 KV line has been surveyed and approve in Kayar village by the 4<sup>th</sup> respondent in such a way to avoid crossing of the line in reserve forest area around Kayar village. The alternative route suggested by the applicant goes through the reserve forest and hence it cannot be considered and the route proposed by the 4<sup>th</sup> respondent is the shortest

possible route with minimum crossing on the cultivable land and trees. The 4<sup>th</sup> respondent has already erected transmission towers to bring in wind energy (green energy) and has installed 400 KV extra high tension line and the same will be energized end of March 2014 from their substation in Kayathar in Tirunelveli District to Sub Station at Ottiyambakkam in Kanchipuram District via 400 KV substation at Karaikudi, Pugalur in Karur District and Kalivanthapattu in Kanchipuram District for a total distance of 700 km. The work in the 6 km from Vembedu and Kayar villages are alone stalled due to the pendency of the instant application. The route proposed by the applicant consists of *patta* lands and also reserve forest area while the line proposed by the 4<sup>th</sup> respondent is the shortest possible route along the boundary of the village with minimum hindrance so as to avoid the residential area. The 4<sup>th</sup> respondent intends to cut around 98 palm trees, 12 neem trees in *patta* lands and *poromboke* lands, 11 acres of casuarinas trees (not fully grown) in privately owned – commercial crops only and not in hundreds of acre as alleged by the applicant. The farmers will be able to utilize the land beneath the tower line and under the tower area also. They can cultivate any kind of crops. It is false to state that the laying of HTTL will cripple small farmers on the usage of their lands and there will be fire hazards.

12. The entire project as proposed has been approved by the Government as the demand for electricity is far outstripping supply, and the State has announced this present project bridge the gap. If this project by the 4<sup>th</sup> respondent is completed, it will be able to provide uninterrupted power supply to the state of Tamil Nadu. Hence, the 3<sup>rd</sup> respondent seeks to pass further order on the application.

13. The 4<sup>th</sup> respondent, namely, the Superintending Engineer, General Construction Circle-II, TANTRANSO, Chennai would state in reply that there is a deficit of 509.50 MVA in the Chennai City and this deficit will be met through the following 230/110 KV Sub Stations (SS) which will be located at KITS Park 230/110/33-11 KV SS, Siruseri 230/110/KV SS and Taramani 230/110/33 KV SS in Sholinganallur area. In order to feed the above 230 KV SSs, it has become very essential to establish a 400 KV SS at Sholinganallur by extending 400 KV supply from Kalivanthapattu 400/230 KV SS. During the Joint study carried out by TNEB with Central Electricity Authority for the establishment of 400/230 KV Kanarpatty Wind Energy Sub Station, erection of 400 KV Double Circuit line by Tamil Nadu Electricity Board (TNEB) was suggested from the sanctioned Pugalur 400 KV SS to Kalivanthapattu 400 KV SS and in turn connecting Ottiyampakkam 400 KV SS

(Sholinganallur). The proposal was discussed in the 23<sup>rd</sup> meeting of the Standing Committee on Power System Planning of Southern region at Chennai on 22.01.2007 and the same was approved. The TNEB has approved the proposal for the establishment of 400/230-110 KV SS at Sholinganallur at an estimated cost of Rs. 14, 860 lakhs *vide* TNEB Proceedings. (FB) No. 76 dated 11.04.2007. By virtue of the provisions contained in Sub Section (2) (a) of Section 185 of the Electricity Act, 2003, TNEB being the transmission utility and licensee can exercise the powers of the Telegraph Authority under the provisions of Section 164 of the Electricity Act, 2003 which have already been conferred upon the TNEB under Section 51 of the Indian Electricity Act, 1910. Wide publicity was given through local news papers on 27.08.2011 under Section 28 (3) on the Electricity Act, 1948 about the proposed scheme for which route has been approved by TANTRANSCO *vide* proceedings dated 25.08.2011 and also it was published in the Tamil Nadu Government Gazette dated 09.11.2011.

14. The erection of the 400 KV corridors by TNEB would facilitate evacuation of the wind power from Tirunelveli region through the Tirunelveli – Karaikudi – Pugalur 400 KV DC Corridor to the load centers around Chennai/Metro areas. By erection of the above line, the overloading of the Neyveli-Pondy-Sriperumbudur 400 KV Single Circuit

line would also be avoided. The TNEB has approved the erection of 400 KV Double Circuit line for a Distance of 325 Km from Pugalur 400 KV SS to Kalivanthapattu 400 KV SS and Sholinganallur 400 KV SS (Ottiyampakkam SS) at an estimated cost of Rs. 878.41 crores *vide* (Per). B.P No. 137 dated 18.06.2007. The trees that are proposed to be cut are casuarina trees and that too they are commercial crops. Moreover, the long growing trees would be cut at beneath the line only to maintain necessary electrical clearance and the area of trees damaged would be very few acres only in Kayar village and not hundreds of acres as averred by the applicant. Further, necessary crop compensation will be paid to the affected farmers. The type of soil, nature of plantation, climate and ground water table will not be affected by providing this transmission line.

15. The earth work excavation for the 400 KV line depends on the type of towers. For example, the DA type tower will have a pit size of about 5 m x 5 m and DB, DC and DD will have 7 m x 7 m only and the concrete quantity for each tower per leg are about 20 m<sup>3</sup> for DA towers and about 40 m<sup>3</sup> for other type towers. DA type tower is a suspension tower, whose weight is lesser (19.60 MT) when compared with angle towers DB, DC and DD. Therefore, the earth work excavation differs according to type of towers. After the completion of foundation concrete

work, the excavated pits will be back filled with the same soil and the tower leg portion will be exposed above the ground level (negligible volume in cross section) with meagre volume of land occupation. The towers located in the paddy field will not be a hindrance for flow of water and the farmers can carry on with the agriculture activity after the installation of the towers. Further the proposed route is approved by the Chief Engineer, Transmission of TANTRANSO and this 400 KV line is taken in the approved route only. As such, the entire project has been proposed by the Government of Tamil Nadu in the larger interest of citizens of Tamil Nadu and after a deep and deliberate discussion, the Government has approved the project. If it is stopped or delayed, it will cause enormous hardship and loss to the Government as well as to the general public. Moreover, if the project is allowed, 4<sup>th</sup> respondent will be able to provide uninterrupted power supply to the State of Tamil Nadu. Hence, based on the above averments, the 4<sup>th</sup> respondent seeks to pass further orders on the applications.

16. The 5<sup>th</sup> respondent, namely, Gammon India Limited would state in reply that the contract for Package 5 from Veeramannur, Thiruvanamalai District to Ottiyampakkam, Kanchipuram District for a distance of 120 km for a cost of Rs. 345 crores was awarded to the 5<sup>th</sup> respondent by the 4<sup>th</sup> respondent on 20.07.2012 and the project is to be

completed within a period of 18 months. About 200 persons were working on daily basis and work is not now being carried out due to the interim orders passed by the Tribunal on 07.02.2014. If the project is not completed before the scheduled date as per the contract terms, the 5<sup>th</sup> respondent reserves the right to claim 10% as liquidated damage. The route was already surveyed by the 4<sup>th</sup> respondent and there is no deviation on the part of the 5<sup>th</sup> respondent who has any power to deviate from the approved route. The 5<sup>th</sup> respondent is carrying out the installation activities as per approved specification and the construction works are monitored by the 4<sup>th</sup> respondent from time to time. Hence, the 5<sup>th</sup> respondent prays that the Tribunal may record the above facts and pass appropriate order. The entire proposal of laying the HTTL from Kayathar in Tirunelveli District to Ottiyambakkam, Chennai would cover a distance of 748 km at an estimated cost of Rs.2300 crore and the project is scheduled to be completed by the end of June, 2015. Out of 2058 towers proposed to be erected in the entire length of 748 km, erection of 2030 towers have been completed. The stringing of conductors for the length of about 710 km has also been completed out of which 588 km has been energized. As per the statement of the 4<sup>th</sup> respondent, the TANTRANSO 22, tower foundations, 28 tower erections and line stringing for 38 km are yet to be made.



17. As seen above, this application is brought forth by the applicant, an agriculturist from Kayar village, Tiruporur Taluk to restrain the TRANTRANSCO, the 4<sup>th</sup> respondent and M/s. Gammon India Pvt. Ltd., the 5<sup>th</sup> respondent from laying a HTTL through the agricultural lands of the applicant and other agriculturists of the Kayar and Vembedu villages on the grounds set out in the application.

18. On the pleadings put forth by the parties, the following questions were formulated for decision by the Tribunal:

1. Whether the application is maintainable since it is barred by Limitation.

2. Whether the application is maintainable since it is outside the jurisdiction and powers of the Tribunal.

3. Whether the applicant is entitled to get an order restraining 4<sup>th</sup> and 5<sup>th</sup> respondents for laying a HTTL as sought for by him.

4. To what relief the applicant is entitled to?

19. Elaborate deliberations were made by the learned Senior Advocate Shri Doraisamy, appearing for the applicant. The reply arguments were also advanced by the learned counsel for all the respondents. The Tribunal paid its anxious considerations on the submissions made and also looked into all the materials made available.

20. On a scrutiny of the materials made available, the following facts are noticed by the Tribunal:

In pursuance of a joint study carried out by the officials of the TNEB with the Central Electricity Authority for the establishment of 400/230 KV Kanarpatty Wind Energy SS, erection of 400 KV double circuit line by TNEB was suggested from the sanctioned Pugalur 400 KV SS to Kalivanthapattu 400 KV SS and in turn connecting Ottiyamabakkam 400 KV SS (Sholignanallur). After a discussion in the 23<sup>rd</sup> meeting of the Standing Committee on Power System Planning of Southern Region at Chennai on 22.01.2007, the proposal was approved. As seen from Annexure R-1, the TNEB approved the proposals *vide* Board's Proceedings dated 11.04.2007 for the establishment of 400/230-110 KV SS at Sholinganallur at an estimated cost of Rs. 14,860 lakh. The said proposal also indicated the provisions contained in sub section 2 (a) of the section 185 of the Electricity Act, 2003 by which the TNEB is the Transmission Utility and Licensee to exercise the powers of the telegraph authority under the provisions of section 164 of the Electricity Act, 2003 which was already conferred upon the TNEB under section 51 of the Indian Electricity Act, 1910.

21. The said scheme of 400 KV was proposed to be fed from Pugalur to the ongoing Kalivanthapattu 400 KV SS (Melakottaiyur) and

to the proposed Ottiyambakkam (Sholinganallur) 400/230-110 KV SS. The route for the said proposed transmission line was approved by TANTRANSCO by its proceedings dated 25.08.2011 which was also published in the newspapers on 27.08.2011 as shown in Annexure R-2 and it was also published in the Tamil Nadu Government Gazette on 09.11.2011 as shown in Annexure R-3. The entire proposal of 400 KV SS from Kayathar in Tirunelveli District to Ottiyambakkam in Kanchipuram District would cover a distance of 748 km at an estimated cost of Rs. 2300 crore. As per the schedule, the project should be completed by the end of June, 2015. Out of 2058 towers proposed to be erected in the entire length of 748 km, erection of 2030 towers and foundation for 2036 towers are already completed. The stringing of conductors for a length of about 710 km was completed out of which 588 km has already been energized. As per the statement of the 4<sup>th</sup> respondent, TANTRANSCO, 22 tower foundations and 28 tower erection and line stringing for 38 km are yet to be made.

22. While the matter stood thus, the applicant has brought forth this application seeking to restrain the 4<sup>th</sup> respondent TANTRANSCO and the 5<sup>th</sup> respondent Gammon India (Pvt.) Ltd., who has entered into a contract for the execution of the project with the 4<sup>th</sup> respondent from laying the HTTL through the agricultural lands at Kayar and Vembedu

villages alleging that the same would destroy the ecological balance of the said villages. It is also admitted that the dispute in respect of laying the HTTL through the said villages is only for a stretch of 6 km in which 14 towers were to be erected.

23. At the time of admission, it was submitted on the side of the applicant that the proposed scheme for laying super HTTL would be passing through the villages of Kayar and Vembedu, but the villagers were not given any notice and if permitted, the project would severely jeopardize not only the proprietary right of the land owners of the villages but also would cause damage to ecology and environment. Being satisfied that there existed a *prima facie* case, the Bench granted an interim order of stay of the project for laying super HTTL by the 4<sup>th</sup> respondent until further orders and the same continues to be in force. The respondents on appearance filed their respective replies and the applicant also filed the rejoinder.

24. Advancing the arguments on behalf of the 4<sup>th</sup> respondent, the learned counsel Shri. Abdul Saleem would submit that the application is liable to be dismissed since it is barred by limitation. Pointing to Section 14 of the National Green Tribunal (NGT) Act, 2010 the counsel would submit that no application for adjudication under the section can be entertained by the Tribunal unless it is made within a period of six

months from the date on which the cause of action for such dispute first arose and even if the application is filed beyond the time, it can be entertained within a further period of sixty days provided sufficient cause is shown by the applicant. In the instant case, the respondent has caused paper publication in two local dailies on 27.08.2011 in which one is in the vernacular and other one is in English and subsequently a notification was published in the Tamil Nadu Government Gazette on 09.11.2011 in respect of the route for the erection of transmission lines under the provisions of the Electricity Act, 2003 now vested with the 4<sup>th</sup> respondent. It is also made clear in both the notification as well as the paper publication that any person might make representation in respect of the above project within one month from the date of issue of publication to the authority as per the Electricity Act, 2003. But, the applicant has filed this application on 04.02.2014 after a lapse of two and a half years from the date of cause of action and knowledge through paper publication and gazette notification. The said period of two and a half years is much beyond the period of limitation specified under Section 14 of the NGT Act, 2010 and the delay is beyond condonation and hence the application is liable to be dismissed on that ground. The learned counsel for the respondent relied on a decision made by the NGT in Application No.414 of 2013 on 07.07.2014 in the matter of *Coorg Wildlife Society through its Secretary vs. State of Karnataka and Ors.*

25. According to the counsel, the applicant cannot also maintain the application in view of lack of jurisdiction for the Tribunal to entertain the same. The dispute raised by the applicant does not fall within any one of the enactments referred to in Schedule I of the NGT Act, 2010. The applicant has filed this application under Section 18(1) r/w Section 14 of the NGT ACT, 2010. The Tribunal, under Section 14 can settle the disputes if there is a substantial question relating to environment including enforcement of any legal right relating to environment is involved and such a question arises out of implementation of any of the Acts specified in Schedule I. Section 15 speaks about relief and compensation for the pollution and other environmental damage arising under the enactments specified in Schedule I for restitution of damage to the property and also of the environment. The Schedule I of the NGT Act, 2010 has a list of seven enactments though the applicant has filed the application under sections 14 and 15 of the NGT Act, 2010, the Electricity Act, 2003 and the Indian Telegraph Act, 1885 do not find place in Schedule I of the NGT Act, 2010 and thus the application is not maintainable. The Tribunal has no jurisdiction to entertain the application. In order to substantiate the contention, the learned counsel relied on the following decisions of the Hon'ble Apex Court in W.P. (c) 9337/2009; W.P. (c) 12719 /2009; W.P. (c) 13675/2009 reported in 2013 SCC Online Del 1471 dated 16.04.2013; Judgment of this Tribunal

Application No. 414 of 2013 dated 07.07.2014 in the matter of *Coorg Wildlife Society through its Secretary vs. State of Karnataka and Ors.* in Paragraph 45; Judgment of the Principal bench of this Tribunal, New Delhi in M.A. No.894 of 2014 in O.A. No.26 of 2012 dated 13.01.2015 and thus on the above grounds the application is barred by limitation and the Tribunal has no jurisdiction to entertain the application and the application has got to be dismissed.

26. Answering to the above contention, the learned Senior Advocate Shri Doraisamy, appearing for the applicant would submit that the present scheme was published in the Indian Express and *Namadhu MGR* on 27.08.2011 and published in the Tamil Nadu Government Gazette on 09.11.2011. The name of Vembedu village did not figure in the paper publication and in the Gazette Notification in both in Tamil and English version, the name of Kayar village was wrongly given. The villagers of Vembedu and Kayar have first come to know about the said project when the subordinates of the 5<sup>th</sup> respondent contractors entered the said villages in the 2<sup>nd</sup> week of January, 2014 for the purpose of survey. Upon coming to know the project, the villagers of both the villages raised protest and made representations to the 3<sup>rd</sup> and 4<sup>th</sup> respondents but to no avail. The applicant representing the villages has approached the Tribunal and obtained an order of interim stay on

07.02.2014. According to section 14 (3) of the NGT, Act, 2010 no application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose. The damage to the lands of the villagers is a continuous one i.e., on day-to-day basis. Hence, the application is not barred by time. It is true that the provision of law has been wrongly typed as section 16 instead of section 14 in the application. The respondents cannot be allowed to take advantage of the same and thus the application is well within the time.

27. Countering the contentions putforth by the respondents' side on the maintainability in view of lack of jurisdiction, the learned Senior Advocate would submit that the application is well within the jurisdiction of the NGT Act, 2010 as per the provisions of the Act. As per section 2 (a) of the Environment (Protection) Act, 1986 (E P Act, 1986), the 'environment' includes water, air, land and the inter-relationship which exists among and between water, air and land and human beings, other living creatures, plants, micro-organism and property. Section 2 (e) defines 'hazardous substance' which would include electricity also. It was held by the *Hon'ble High Court of Allahabad reported in AIR 1998 Allahabad-page 1* in paragraphs 33 and 34 that electricity is a hazardous



substance. The Hon'ble Supreme Court has interpreted Section 14 of the NGT Act, 2010 reported in *2013 SCC online Del 1471* as shown under Annexure 6 (page Nos. 25 to 28) that before a matter can be brought to Tribunal, it should fulfil two requirements and the first one is the substantial question arising out of implementation of one or more Acts specified in Schedule I of the NGT Act, 2010. If an applicant fulfils the first requirement, the Tribunal would give also power to provide one or more reliefs as envisaged in section 15 of the NGT, Act, 2010. A combined reading of the above decisions would make it clear that the subject matter comes under the purview of the E P Act, 1986 which is one of the enactments listed in Schedule I of the NGT Act, 2010. Thus, the Tribunal would have jurisdiction to entertain the application.

28. In view of rival contentions raised on both sides with regard to the questions relating to the (i) limitation and (ii) lack of jurisdiction, these questions are taken up first for discussion and for decision before going into the merits of the case to resolve the other questions formulated based on the pleadings.

**Question Nos. 1 and 2:**

29. After careful consideration of the submissions made and scrutiny of the documents made available by both sides, the Tribunal is of the considered view that neither the application is barred by time nor

can it be dismissed for lack of jurisdiction to entertain the same. The applicant, an agriculturist from Kayar village, has filed this application in his capacity as ex-councillor and ex-president of the village *Panchayat* and has also represented the other agriculturists in both Kayar and Vembedu villages under section 18 (1) read with sections 14 and 15 of the NGT, Act, 2010. Speaking on the original jurisdiction of the NGT, section 14 of the NGT Act, 2010 reads as follows:

*“14. Tribunal to settle disputes: - (1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment) is involved and such question arises out of the implementation of the enactments specified in Schedule I.*

*(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon.*

*(3) No application for adjudication of dispute under this section shall be entertained by the Tribunal unless it is made within a period of six months from the date on which the cause of action for such dispute first arose.*

*Provided that the Tribunal may, if satisfied that the applicant was prevented by sufficient cause from filing the application within the said period,*

*allow it to be filed within a further period of sixty days”.*

30. A reading of the above provision would make it clear that before an application is brought forth before the Tribunal, the application should fulfil the twin requirements of which firstly, it should involve a substantial question arising out of implementation of one or more of the Acts specified in Schedule I to the NGT Act, 2010. Even if the applicant is able to satisfy the above requisite, the Tribunal can adjudicate the dispute only if it is made within a period of six months from the date on which the cause of action first arose and the Tribunal for the sufficient cause can condone the delay for a period of not exceeding 60 days in making the application. Pointing the provisions, the learned counsel for the contesting respondents would contend that the application was made beyond the prescribed period of limitation. Contrarily, it is pleaded by the applicant that the application is well within the time.

31. It is true that the 4<sup>th</sup> respondent caused two paper publications regarding the project, one in vernacular and other in English on 27.08.2011. It is also true that the notification was published in the Tamil Nadu Government Gazette on 09.11.2011 in respect of the route for the erection of transmission lines under the provisions of the Electricity Act, 2003. It was also made clear that any representation in respect of the above project might be made to the authorities within one month

therefrom. According to the respondents, in view of the publication made in the dailies and also the notification in the Government Gazette, there was a delay of two and half years since the application was filed on 04.02.2014. This contention cannot be countenanced as the applicant has not challenged the notifications issued in respect of the transmission lines. If done so, the period of limitation has to be reckoned therefrom. As rightly pointed out by the learned Senior Advocate for the applicant the name of Vembedu village did not figure in the newspaper publication dated 27.08.2011 and also in the Gazette notification. The people of the locality as well as the *Panchayat* were never made known about the said proposal of the transmission line by the 4<sup>th</sup> respondent and no notice was given about the project and when they came to know of the project, the villagers raised protest and approached the Tribunal. It is specifically pleaded by the applicant that the farmers of the villages will be put to untold hardships and agony in the event of implementation of the said project by cutting down the casuarina trees and other plantations and permanently preventing agriculture for raising crops in future and cause continuous sufferings of farmers and as such the application was will within limitation as per section 14 of the NGT Act, 2010. As rightly pointed out by the learned Senior Advocate for the applicant, the indication of section 16 in the application while filing the same, is only a typographical error instead of section 16 of the NGT Act, 2010. Thus, in

view of the above circumstances, it cannot be stated that there was any delay on the part of the applicant in approaching the Tribunal after gaining the knowledge about the project.

32. Equally, the Tribunal has to necessarily disagree on the contention put forth by the respondents' side that the application cannot be maintained in view of lack of jurisdiction for the Tribunal to entertain this application. Speaking on the jurisdiction, section 14 of the NGT Act, 2010 reads as follows:

*“14. Tribunal to settle disputes: - (1) The Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment) is involved and such question arises out of the implementation of the enactments specified in Schedule I.*

*(2) The Tribunal shall hear the disputes arising from the questions referred to in sub-section (1) and settle such disputes and pass order thereon”.*

Section 15 of the NGT Act, 2010 reads as follows:

*15. Relief, compensation and restitution: -  
The Tribunal may, by an order, provide,-*

*(a) relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in the Schedule I*

*(including accident occurring while handling any hazardous substance);*

*(b) for restitution of property damaged;*

*(c) for restitution of the environment for such area or areas, as the Tribunal may think fit.*

*(2) The relief and compensation and restitution of property and environment referred to in clauses (a), (b) and (c) of sub-section (1) shall be in addition to the relief paid or payable under the Public liability Insurance Act, 1991 ( 6 of 1991).*

*(3) \*\*\**

*(4)\*\*\**

*(5)\*\*\**

33. From the very reading as pointed out earlier the applicant should fulfil twin requirements that it should involve a substantial question which should arise out of one or more of the Acts specified in Schedule I of the NGT Act, 2010 which reads as follows:

#### Schedule I

- 1. The Water (Prevention and Control of Pollution) Act, 1974;*
- 2. The Water (Prevention and Control of Pollution) Cess Act, 1977;*
- 3. The Forest (Conservation) Act, 1980;*

*4. The Air (Prevention and Control of Pollution) Act, 1981;*

*5. The Environment (Protection) Act, 1986;*

*6. The Public Liability Insurance Act, 1991; and*

*7. The Biological Diversity Act, 2002.*

Under Section 15, the Tribunal has got wide powers to provide single or plural reliefs as envisaged under the provisions under the NGT Act, 2010.

34. What is contended by the contesting respondents is that under Section 164 of Electricity Act, 2003 the State Government has conferred upon the licensee, namely, TNEB a power of placing electrical lines/electrical plant for transmission of electricity. Under Section 40 of Electricity Act, 2003 the 4<sup>th</sup> respondent TANTRANSCO, being a transmission licensee is empowered to build, maintain and operate an efficient, co-ordinated and economical intra-state transmission system and thus the entire subject matter of the application falls within the ambit of Electricity Act, 2003 and the Indian Telegraph Act, 1885. But, both the Electricity Act, 2003 and the Indian Telegraph Act, 1885 do not find place in Schedule I of the NGT Act, 2010 and hence the application is not maintainable before the Tribunal. Here again, it remains to be stated that the applicant has not challenged the notifications issued. The applicant has sought for the

relief to restrain the 4<sup>th</sup> and 5<sup>th</sup> respondents from laying a HTTL through the agricultural lands of the said villagers destroying the ecological balance. He has specifically pleaded that the interest of poor farmers has to be safeguarded and also the ecological balance has to be maintained by safeguarding the agricultural lands. Specific averments were made in the application that if the project is allowed to be carried out it will have an adverse impact on the agricultural lands and plantations by loss of surface soil fertility, water depletion, loss of ecology, fire hazards, electric shock and safety and economic insurgency. As rightly pointed out by the applicant's side, the factual situation would attract the provisions of E P Act, 1986 which is an enactment that finds place in Schedule I of the NGT Act, 2010. Taking into consideration the specific averments made by the applicant and also reliefs sought for as stated above it has to be held that the application can be maintained before the Tribunal.

**Question Nos. 3 and 4:**

35. Advancing the arguments on the merits of the applicant's case seeking an order to restrain the 4<sup>th</sup> and 5<sup>th</sup> respondents from laying the HTTL through the agricultural lands of the both the villages, the learned Senior Advocate for the applicant would submit that the proposed scheme in laying the super HTTL in the middle of both the villages was



arbitrary and illegal. The 4<sup>th</sup> respondent has not taken into consideration the destruction of casuarina, coconut trees and other plantations raised in hundreds of acres due to the laying of HTTL would cause ecological imbalance and environmental degradation. The valid objections raised by the farmers who were fully depending on the agricultural lands were thoroughly ignored to suit to the convenience of the 5<sup>th</sup> respondent, contractor. Though alternative route was suggested by the farmers, the same was not considered by the 4<sup>th</sup> respondent and if the alternative alignment suggested by the farmers was taken into consideration it would have resulted in minimal damage. Referring to the Annexure 12 filed by the applicant in the typeset, the counsel pointed out that the proposal for establishment for 400/ 230-110 SS at Sholinganallur was only approved by TNEB under its proceedings dated 11.04.2007. From the paper publications and also the notification in Tamil Nadu Government Gazette relied on by the respondent it would be quite clear that the approval was not given by the appropriate Government. It is true that there is no proper approval from the appropriate Government. The Government order in G.O. Ms.No.16 dated 23.03.2012 is only an order conferring power under section 164 of the Electricity Act, 2003. The G.O. cannot be given retrospective effect to validate the TNEB's proceedings dated 11.04.2007.

36. In reply to the above contention, the counsel for the 4<sup>th</sup> respondent would submit that the Government of Tamil Nadu *vide* G.O. Ms.No.16 dated 23.03.2012 has approved and empowered TANTRANSO and TANGEDCO to exercise such powers for placing electric supply lines for the transmission of electricity as a telegraph authority possesses under the provisions under the Indian Telegraph Act, 1885 under Section 164 of Electricity Act, 2003.

37. In the considered opinion of the Tribunal, the above contention putforth by the applicants' side does not arise on the grounds that the applicant has not challenged any of the proceedings, Government order or notifications in respect of erecting the transmission lines and hence he cannot be allowed to question the validity of the same. It is also pertinent to note that the villagers have specifically averred that they are not against this public project. The relief sought for is based on two grounds that the proposed route selected by the 4<sup>th</sup> respondent for the project would not only cause damage to the agriculture but also destroy ecological balance of the said villages and apart from that, when an alternative route is available for laying the transmission lines, the 1<sup>st</sup> respondent should not take the lines through the villages destroying casuarina and other trees raised in 100 acres of land.

38. On 20.08.2014, it was submitted by the learned Senior Advocate appearing for the applicant that there was a fire accident in Kayar village. Hence, a report was called for from the 3<sup>rd</sup> respondent, District Collector in that regard. Following the direction of the Tribunal, the 3<sup>rd</sup> respondent, District Collector, made an inspection on 30.08.2014 along with the revenue and TNEB officials in the presence of the public. The District Collector submitted a report which reads as follows:

*“a) A fire accident took place in a portion the casuarina tree plantation at SF No.1033 of Kayar village of Thiruporur Taluk of Kanchipuram District with total extent of 4.265 hectares on 06.04.2014. The patta stands in the name of Tmt.Jayalakshmi in Patta No.817. Only some casuarina crops were seen black in colour on the ground surface. One LT line is passing through the Casuarina plantations at the spot but there is no evidence to prove that the fire has occurred because of LT line. Because the casuarina crops are not burnt and the entire field has got mixed green crops and black crops. No fire accident occurred at any other place at Kayar village.*

*b) The fire service and rescue department log book has mentioned about the accident. It was a small fire accident and brought under control within 30 minutes.*

*c) So no investigation was conducted by any authorities and hence the identification of source of fire does not arise.*

*d) The photographs (3 Nos.) of the site inspection are enclosed herewith for the Hon'ble Green Tribunal for kind perusal".*

39. Along with the above report, the 3<sup>rd</sup> respondent, District Collector made a report the present status of the erection of 400 KV Double Circuit line from Kalivanthapattu 400 KV SS to Ottiyambakkam 400 KV SS. He has pointed out that the tower foundation of 65 locations was completed out of 88 locations and the erection of tower has been completed in 30 locations and the remaining works were under progress. Line stringing work was completed for 7 km out of 26.981 km. The expenditure so far incurred for this project was Rs. 36 crore. The tower foundation for 14 locations could not be completed in Kayar and Vembedu villages due to the objection by the concerned villages and the interim stay granted by the Tribunal. Out of 14 locations, 11 fell in Kayar Village. A joint inspection was conducted by the TNEB and revenue officials to find out the exact locations, survey numbers and the present status of the lands in which the tower foundations were proposed to be located in Kayar village. The details in respect of survey numbers, classification of land, name of the *patta* holder, and crops cultivated in the lands covered by each tower were also attached to the report. It is

pertinent to point out that out of the lands covered under 10 towers to be erected out of 11, they were classified as wetlands while 1 is shown as dry land. But, out of these lands 10 were noticed as fallow while casuarinas trees were found in 2 of those lands. The 3<sup>rd</sup> respondent has pointed out the most of the lands were lying fallow and further the HTTL towers proposed to be installed would be for a height of 60 ft from the ground level and hence any kind of cultivation could be carried out without any hindrance. After seeing the above report a query was made in respect of the survey numbers of the lands through which the proposed transmission line was to be taken. It was submitted by the respondents' side that in view of the protest by the villagers, the officials could not collect the data and necessary direction was required to be issued to the villagers in that regard. A direction was issued to the Revenue Divisional Officer and *Tahsildar* concerned to conduct a proper survey and submit a report indicating the survey Nos. of the lands through which the transmission line was to be taken and a direction was issued to the villagers to extend their co-operation. After making the inspection, a joint inspection report was made by the Revenue Divisional Officer and *Tahsildar* 26.09.2014. The joint inspection report contains the details of survey numbers of the lands, name of the land owner along with *patta* number Vembedu village in which the proposed 400 KV transmission line would pass through. All the pieces of land falling under

40 sub divisions of different survey Nos. though classified as wet, were all noticed vacant. Equally, the joint inspection report in respect of Kayar village contains the details of survey numbers of the lands, name of the land owner along with *patta* number of Kayar village in which the proposed 400 KV transmission line would pass through. In respect of Kayar village, all the pieces of land falling under 374 sub divisions of different survey numbers most of them though classified as wet remain vacant except a few where casuarinas trees have been planted. At the time of inspection, out 374 pieces of land 277 were seen vacant, 44 pieces of land were found with casuarina plantation, 41 pieces of land were with paddy and other crops and 13 pieces of land were with other utilities like road etc. It is pertinent to point out that the joint inspection was made in the last of week of September, 2014. As per the report the details of land owners in the 400 KV transmission line crossing the Vembedu and Kayar villages in Kanchipuram District as furnished by the RDO, Chengalpattu are as follows:

#### Vembedu Village

Sl.No	Survey No.	Classification	Patta No.	Name of the Pattadar	Crops cultivated
1	430/1B	Wet	420	Ramakrishnan	vacant
2	430/1C	Wet	1027	Ravi	vacant
3	430/2A	Wet	630	Panchacharan	vacant
4	430/2 B	Wet	434	Ramakrishnan	vacant

5	430/2C	Wet	305	Panchacharam	vacant
6	430/3	Wet	1027	M.Ravi	vacant
7	430/4	Wet	420	Ramakrishnan	vacant
8	430/5	Wet	988	Perema	vacant
9	431/1	Wet	352	Masilamani	vacant
10	431/2A	Wet	202	Subramanian	vacant
11	431/2B	Wet	815	Muniammal	vacant
12	431/2C	Wet	816	Ganeshnayakar	vacant
13	431/2D	Wet	815	Muniammal	vacant
14	431/2E	Wet	202	Subramanian	vacant
15	431/2F	Wet	815	Muniammal	vacant
16	432/1	Wet	102	Kaniappan	vacant
17	432/2	Wet	312	Natesan	vacant
18	432/3	Wet	509	Jaganathan	vacant
19	432/4	Wet	102	Kaniappan	vacant
20	432/5	Wet	102	Kaniappan	vacant
21	432/6	Wet	88	Kabali	vacant
22	432/7	Wet	103	Rani ammal	vacant
23	432/8A	Wet	103	Rani ammal	vacant
24	432/8B (TOWER Loc.No:47/0)	Wet	509	Jaganathan	vacant
25	432/9	Wet	102	Kaniappan	vacant
26	432/10	Wet	626	Sekar	vacant
27	432/11	Wet	509	Jaganathan	vacant
28	432/12	Wet	626	Sekar	vacant
29	435/1	Wet	104	Sekar	vacant
30	435/2	Wet	860	Sivalingam	vacant
31	435/3A	Wet	713	Mannadhan	vacant
32	435/3B	Wet	469	Veera raghavan	vacant
33	435/3C	Wet	469	Veera raghavan	vacant
34	435/3D	Wet	469	Veera Raghavan	vacant

35	435/3E	Wet	469	Veera Raghavan	vacant
36	436/1	Wet	104	Sekar	casuarina
37	436/2	Wet	104	Sekar	casuarina
38	436/3 (TOWER Loc No:48/0)	Wet	723	Mannadhan	casuarina
39	436/4	Wet	636	Damodharan	vacant
40	436/5	Wet	217	Chandhirammal	vacant

### Kayar Village

Sl.No	Survey No.	Classification	Patta No.	Name of the Pattadar	Crops cultivated
1	1071/1	Dry	41	Abdul Raup (Chennai)	casuarina
2	1071/2	Dry	1002	Amirthammal, W/oThagil Seshappa Naicker (1), Ramalingam (2)	casuarina
3	1092/2B	Dry	33	Ambika, W/O. Lakshmiopathy	casuarina
4	1092/2C (Tower)	Dry	1278	Sitrarasu, S/o. Kothandaraman	casuarina
5	1092/2D	Dry	737	Rameswari w/o Gnanamani	casuarina
6	1093/1A	Dry	608	Mallika w/o Jayabal	casuarina
7	1093/1B	Dry	40	Alamelu w/o Ramadass	casuarina
8	1093/1C	Dry	40	Alamelu w/o Ramadass	casuarina
9	1093/2	Dry	120	Elumalai s/o Vanrasi Naicker	casuarina
10	1093/3	Dry	120	Elumalai s/o Vanrasi Naicker	casuarina



11	1070/1	Wet	120	Elumalai s/o Vanrasi Naicker	casuarina
12	1070/2A	Wet	737	Rameswari w/o Gnanamani	casuarina
13	1070/2B	Wet	784	Veerapathiran s/o Varadappan	casuarina
14	1070/3	Wet	845	Mohanaraman s/o Govinda Naicker (1) Ramanujam s/o Govinda Naicker (2)	casuarina
15	991		120	Elumalai s/o Vanrasi	casuarina
16	990	Wet	341	Seenuvasan s/o Sundra Naicker	casuarina
17	992/2	Wet	120	Elumalai s/o Vanrasi	casuarina
18	992/3	Wet	120	Elumalai s/o Vanrasi	casuarina
19	983/1	Wet	1655	Thulasingham s/o Selvaraj	Vacant
20	983/2	Wet	380	Selvaraj s/o Murugesan	Vacant
21	896/1A 1	Wet	1531	Sridevi W/o Chandrasekaran	Casuarina
22	896/1A 2	Wet	1532	Deenadayalan, S/o Chakarapani	Casuarina
23	896/1B	Wet	120	Elumalai , S/o Vanrasi	Road
24	896/2A 1	Wet	1532	Deenadayalan, S/o Chakarapani	Casuarina
25	896/2A 2	Wet	1621	Mohanaraman, S/o Govinda naicker Manimegalai,W/o Ramanujam	Road
26	896/2B	Wet	120	Elumalai , S/o Vanrasi	Road
27	982/1	Wet	662	Mohanaraman, S/o Govinda naicker	Casuarina
28	982/2 A	Wet	1621	Mohanaraman, S/o Govinda naicker	Casuarina

				Manimegalai,W/o Ramanujam	
29	982/2 B (TOWER)	Wet	1531	Sridevi w/o Chandrasekhar	Casuarina
30	982/2 C (TOWER)	Wet	1532	Deenadayalan s/o Chakkrapani	Casuarina
31	993/1	Wet	662	Mohanaraman, S/o Govinda naicker	Casuarina
32	993/2	Wet	40	Alamelu w/o Ramadass	Casuarina
33	989/1	Wet	1657	Thulasingham s/o Selvaraj	Vacant
34	989/2	Wet	1658	Dhanasekaran s/o Selvaraj (1) Thulasingham s/o Selvaraj(2)	Vacant
35	989/3	Wet	1659	Dhanasekaran s/o Selvaraj	Vacant
36	897/1	Wet	100	Elumalai s/o Kannappan	Vacant
37	897/2A1	Wet	100	Elumalai s/o Kannappan	Vacant
38	897/2B1	Wet	191	Kadumbadiammal w/o Lakshmanan	Vacant
39	897/2B 2	Wet	191	Kadumbadiammal w/o Lakshmanan	Vacant
40	897/1	Wet	100	Elumalai s/o Kannappan	Vacant
41	897/2A 1	Wet	100	Elumalai s/o Kannappan	Vacant
42	897/2 A 2	Wet	100	Elumalai s/o Kannappan	Vacant
43	897/2 B 1	Wet	191	Kadumbadiammal w/o Lakshmanan	Vacant
44	897/2 B 2	Wet	191	Kadumbadiammal w/o Lakshmanan	Vacant
45	902/1	Wet	303	Sakuntala w/o Karnan	Casuarina
46	902/2 A	Wet	303	Sakuntala w/o Karnan	Casuarina
47	902/2B	Wet	303	Sakuntala w/o Karnan	Casuarina
48	903/ 1 A	Wet	429	Dhanusu s/o Elumalai	Casuarina
49	903/2 A	Wet	1274	Alemelu w/o Dhanusu	Casuarina

50	903/2 B	Wet	1274	Alemelu w/o Dhanusu	Casuarina
51	905/1A	Wet	541	Paramasivam s/o Dhanusu	Vacant
52	905/1B	Wet	541	Paramasivam s/o Dhanusu	Vacant
53	905/2 A	Wet	541	Paramasivam s/o Dhanusu	Vacant
54	905/2 B	Wet	303	Sakuntala w/o Karnan	Casuarina
55	901/1 A	Wet	303	Sakuntala w/o Karnan	Casuarina
56	901/1 B	Wet	557	Balasundaram s/o Lakshmanan	Casuarina
57	901/2	Wet	557	Balasundaram s/o Lakshmanan	Casuarina
58	907	Wet	541	Paramasivam s/o Dhanusu	Vacant
59	906/1 A	Wet	541	Paramasivam s/o Dhanusu	Road
60	906/1 B	Wet	541	Paramasivam s/o Dhanusu	Casuarina
61	906/ 2 A	Wet	541	Paramasivam s/o Dhanusu	Casuarina
62	906/ 2 B	Wet	303	Sakuntala w/o Karnan	Casuarina
63	912/1	Wet	700	Ramamoorthy s/o Manickam	Casuarina
64	912/2	Wet	303	Sakuntala w/o Karnan	Casuarina
65	912/3	Wet	303	Sakuntala w/o Karnan	Casuarina
66	910 ( TOWER)	Wet	147	Ganesan s/o Elumalai	Vacant
67	911/ 1A	Wet	318	Sarangan s/o Adimoolam	Vacant
68	911/ 1B	Wet	358	Subramani s/o Adimoolam	Vacant
69	911/ 1C	Wet	485	Devarajan s/o Kaliya Mudaliar	Vacant

70	911/ 2	Wet	521	Nagarathinam w/o Subramani	Vacant
71	909/1	Wet	685	Rajamanickam s/o Ganajan	Vacant
72	909/2	Wet	541	Paramasivam s/o Dhanusu	Vacant
73	923/1	Wet	447	Thiruneelakandan s/o Munnusamy	Vacant
74	923/2	Wet	650	Muniammal w/o Velayudham	Casuarina
75	923/3	Wet	205	Kallachiammal w/o Angu Nayakar	Vacant
76	923/4	Wet	1088	Jayaraman s/o Kalyan naicker and two members	Vacant
77	862/1	Wet	447	Thiruneelakandan s/o Munnusamy	Vacant
78	862/2	Wet	931	Subramani s/o Natesan	Vacant
79	862/3	Wet	447	Thiruneelakandan s/o Munnusamy	Vacant
80	860/1	Wet	524	Nalammal w/o Bakthavachalam	Vacant
81	860/2	Wet	524	Nalammal w/o Bakthavachalam	Vacant
82	860/3	Wet	147	Ganesan s/o Elumalai	Vacant
83	861/1 A	Wet		Symala W/o Devarajan	Vacant
84	861/1 B	Wet	317	Saraugpani s/o Manickam	Vacant
85	861/2	Wet	692	Rajammal w/o Tiruvenkatam	Vacant
86	861/3	Wet	692	Rajammal w/o Tiruvenkatam	Vacant
87	871/ 1 A	Wet	485	Devaraj s/o Kalya	Vacant
88	871/ 1 B	Wet	735	Rajeswari w/o Loganathan	Vacant

89	871/ 12	Wet	448	Thiruloganayaki w/o Thiruneela kandan	Vacant
90	857/1	Wet	303	Sakuntala w/o Karnan	Vacant
91	857/2	Wet	303	Sakuntala w/o Karnan	Vacant
92	857/4	Wet	303	Sakuntala w/o Karnan	Vacant
93	857/3	Wet	278	Ranganathan s/o Kanniappan	Vacant
94	857/5	Wet	278	Ranganathan s/o Kanniappan	Vacant
95	857/6	Wet	278	Ranganathan s/o Kanniappan	Vacant
96	857/7	Wet	278	Ranganathan s/o Kanniappan	Vacant
97	856	Wet	182	Kanagavalli w/o Ramu	Vacant
98	854/1	Wet	4	Varadaraja Perumal Kovil	Vacant
99	854/3	Wet	485	Devarajan s/o Kalya Mudalian	Vacant
100	854/12	Wet	485	Devarajan s/o Kalya Mudalian	Vacant
101	854/14 (TOWER)	Wet	485	Devarajan s/o Kalya Mudalian	Vacant
102	854/4A	Wet	661	Jagadeesan s/o Mohan	Vacant
103	854/4B	Wet	1780	Pratheebha D/o Thangavel	Vacant
104	854/5	Wet	1395	Balakrishnan s/o Thiruneelakandan	Vacant
105	854/6 A	Wet	447	Thiruneelakandan s/o Munnusamy	Vacant
106	854/6 B	Wet	648	Muthusamy s/o Munnusamy	Vacant
107	854/15	Wet	447	Thiruneelakandan s/o Munnusamy	Vacant
108	854/18	Wet	447	Thiruneelakandan s/o	Vacant

				Munnusamy	
109	854/16	Wet	1256	Shyamala w/o Devarajan	Vacant
110	854/17 (TOWER)	Wet	692	Rajammal w/o Thiruvankadam	Vacant
111	854/11	Wet	692	Rajammal w/o Thiruvankadam	Vacant
112	854/13	Wet	692	Rajammal w/o Thiruvankadam	Vacant
113	854/19	Wet	1342	Kannan s/o Arumugam	Vacant
114	854/20	Wet	1342	Kannan s/o Arumugam	Vacant
115	854/21	Wet	1342	Kannan s/o Arumugam	Vacant
116	854/22	Wet	429	Dhanusu s/o Elumalai	Vacant
117	854/23	Wet	429	Dhanusu s/o Elumalai	Vacant
118	854/10	Wet	1779	Janaki w/o Neelakandan	Vacant
119	854/6C	Wet	155	Kalyani D/o Rajagopal	Vacant
120	854/7 B	Wet	655	Meganathan s/o Kanmani	Vacant
121	854/7A	Wet	218	Kali s/o appadurai	Vacant
122	854/8	Wet	1192	Arumugam s/o Ponnapppan and 5 Persons	Vacant
123	854/9	Wet	265	Govindasamy s/o Vedachalam	Vacant
124	853/1 A	Wet	1342	Kannan s/o Arumugam	Vacant
125	853/1B	Wet	1342	Kannan s/o Arumugam	Vacant
126	853/2 A	Wet	559	Punniakotti s/o Kali	Vacant
127	853/2 B	Wet	594	Mani s/o Arjunan	Vacant
128	848/2	Wet	530	Padmavathi w/o Vanrasi	Vacant
129	848/3	Wet	1610	Mohana w/o Duraivel	Vacant
130	848/4	Wet	700	Ramamoorthu s/o Manickam	Vacant
131	848/1	Wet	203	Siva s/o Kannapillai	Vacant
132	850	Nil	-	Govt.Land	Vacant
133	847	Wet	700	Ramamoorthy s/o	Vacant

				Manickam	
134	330/1A	Wet	686	Ramachandran s/o Kannapan	Vacant
135	330/1B	Wet	686	Ramachandran s/o Kannapan	Road
136	330/2A	Wet	754	Loganathan s/o Kannappan	Vacant
137	330/2 B	Wet	754	Loganathan s/o Kannappan	Road
138	330/3 A	Wet	1536	Pushpa w/o Balasundaran	Vacant
139	330/3 B	Wet	1518	Paravthi w/o Dakhinamoorthy	Vacant
140	330/3 C	Wet	1518	Paravthi w/o Dakhinamoorthy	Road
141	321/1	Wet	882	Mani s/o Arjunan	Vacant
142	321/2 A	Wet	883	Manivannan s/o Ramakrishnan	Vacant
143	321/2 B	Wet	1708	Dinesh Kumar s/o Prasad Rau	Vacant
144	321/3	Wet	1635	Dinesh Kumar s/o Prasad Rau	Vacant
145	321/5	Wet	530	Padmavati w/o Vanrasi	Vacant
146	321/6	Wet	883	Manivannan s/o Ramakrishnan	Vacant
147	321/7	Wet	700	Ramamoothy s/o Manickam	Vacant
148	335/1	Wet	569	Perumal s/o Ganapthy	House
149	335/2	Wet	569	Perumal s/o Ganapthy	Road
150	334/1 A (TOWER)	Wet	103	Elumalai s/o Seenappa Naicker	Vacant
151	334/1 B	Wet	1420	Kothandaraman s/o nagamuthu (1)	Paddy

				Jayakodi w/o Kothandaraman (2)	
152	334/2	Wet	530	Padmavati w/o Dhanusu	Vacant
153	334/3	Wet	530	Padmavati w/o Dhanusu	Vacant
154	334/1	Wet	415	Dhanalakshmiammal W/o Chinnasamy	Vacant
155	331 (Tower)	Wet	4	Varadaraja Perumal Kovil	Vacant
156	332/2 (Tower)	Wet	3	Adeswarar Kovil	Vacant
157	333/1	Wet	1345	Balasundaram S/o Raghavan	Vacant
158	333/2	Wet	702	Ramadass S/o Thangavel	Vacant
159	333/3	Wet	702	Ramadass S/o Thangavel	Vacant
160	340/1	Wet	1419	Jayakodi W/o Kothandaraman	Vacant
161	340/3	Wet	1419	Jayakodi W/o Kothandaraman	Vacant
162	340/2	Wet	515	Iyyappan S/o Arumugam	Vacant
163	340/4	Wet	515	Iyyappan S/o Arumugam	Vacant
164	340/9	Wet	515	Iyyappan S/o Arumugam	Vacant
165	340/7	Wet	1544	Krishnamoorthy S/o Chinnasamy	Vacant
166	340/10	Wet	1593	Kannapiran S/o Chinnasamy	Vacant
167	340/11	Wet	1593	Kannapiran S/o Chinnasamy	Vacant
168	340/14	Wet	1593	Kannapiran S/o Chinnasamy	Vacant
169	340/15	Wet	1593	Kannapiran S/o Chinnasamy	Vacant
170	340/16	Wet	18	Arjunan S/o Kullappan	Vacant
171	340/5	Wet	1594	Krishnamoorthy S/o Chinnasamy	Vacant
172	340/6	Wet	385	Sokkammal W/o Perumal	Vacant
173	340/8	Wet	1593	Kannapiran S/o Chinnasamy	Vacant
174	340/13	Wet	559	Punniakotti S/o Kali	Vacant
175	340/12	Wet	797	Vanrasi S/o Appadurai	Vacant
176	340/17	Wet	569	Perumal S/o Ganapati	Vacant
177	340/18	Wet	160	Kannappan S/o Ponnappan	Vacant
178	341	Wet	702	Ramadass S/o Thangavel	Vacant
179	343/1	Wet	324	Chinnasami S/o Kali	Vacant
180	343/2	Wet	662	Mohanaraman S/o	Vacant



				Govinda Naicker	
181	343/3	Wet	214	Kali S/o Apparav	Vacant
182	343/4	Wet	415	Dhanalakshmiammal W/o Chinnasamy	Vacant
183	342/1	Wet	1593	Kannapiran S/o Chinnasamy	Paddy
184	342/3A	Wet	1593	Kannapiran S/o Chinnasamy	Paddy
185	342/2	Wet	324	Chinnasami S/o Kali	Paddy
186	342/3B	Wet	1411	Chinnasami S/o Kali	Paddy
187	342/3C	Wet	1518	Parvati W/o Dakshinamoorthy	Vacant
188	342/4	Wet	324	Chinnasami S/o Kali	Ragi
189	352	Wet	1168	Megu S/o Arumugam and Four Members	Vacant
190	270/1	Wet	1518	Parvati W/o Dakshinamoorthy	Vacant
191	270/2	Wet	1518	Parvati W/o Dakshinamoorthy	Paddy
192	268/1	Wet	1593	Kannapiran S/o Chinnasamy	Corn
193	268/2	Wet	408	Dhanalakshmiammal W/o Muthu	Corn
194	353/1	Wet	703	Raniammal W/o Kannamani	Paddy
195	353/2	Wet	703	Raniammal W/o Kannamani	Paddy
196	353/3	Wet	703	Raniammal W/o Kannamani	Paddy
197	267/1 (Tower)	Wet	1552	Muthu S/o Kali	Vacant
198	267/2	Wet	860	Krishnaveni (1) Dhanalakshmi (2)	Vacant
199	354/1A (Tower)	Wet	1683	Seenivasan S/o Ranganathan. 1	Angular ground
200	354/1B (Tower)	Wet	1685	Seenivasan S/o Ranganathan. 1 Ramachandran S/o Ranganathan.2	Angular ground
201	354/1C (Tower)	Wet	1684	Ramachandran S/o Ranganathan.	Angular ground
202	354/2	Wet	279	Senbagavalli W/o Arjunan	Angular ground
203	262/1A	Wet	491	Navamani D/o Gangadurai Naicker	Vacant
204	262/1B1	Wet	1683	Srinivasan S/o Ranganathan	Vacant
205	262/1B2		1684	Ramachandran S/o	Vacant

				Ranganathan.	
206	262/2	Wet	1233	Arumugam S/o Munusamy	Vacant
207	357/1	Wet	1522	Radhakrishnan S/o Natarajan	Vacant
208	357/2	Wet	1523	Ravisankar S/o Natarajan	Vacant
209	357/3	Wet	1521	Manoharan S/o Natarajan	Vacant
210	358/1	Wet	1524	Vankatesan S/o Natarajan	Vacant
211	358/2	Wet	1524	Vankatesan S/o Natarajan	Vacant
212	355/1	Wet	1233	Arumugam S/o Munusamy	Vacant
213	355/2A	Wet	1233	Arumugam S/o Munusamy	Ragi
214	355/2B	Wet	1233	Arumugam S/o Munusamy	Road
215	355/3A	Wet	1245	Radhakrishnan S/o Parasuraman	Vacant
216	355/3B	Wet	1245	Radhakrishnan S/o Parasuraman	Road
217	355/4A	Wet	662	Mohanaraman S/o Govinda Naicker	Ragi
218	355/4B	Wet	662	Mohanaraman S/o Govinda Naicker	Road
219	356/1	Wet	892	Arumugam S/o Munusamy.1 Chandra W/o Arumugam	Vacant
220	356/2	Wet	892	Arumugam S/o Munusamy.1 Chandra W/o Arumugam	Vacant
221	386/1 (Tower)	Wet	746	Lakshmi W/o Vadivel	Vacant
222	386/2 (Tower)	Wet	746	Lakshmi W/o Vadivel	Vacant
223	361/1A	Wet	1523	Ravishankar S/o Nataraj	Vacant
224	361/1B	Wet	1521	Manoharan S/o Nataraj	Vacant
225	361/2A1	Wet	1523	Ravishankar S/o Nataraj	Vacant
226	361/2A2	Wet	1522	Radhakrishnan S/o Natarajan	Vacant
227	361/2 A3	Wet	1524	Venkatesan s/o Nataraj	House
228	361/2 B	Wet	1524	Venkatesan s/o Nataraj	Road
229	384/1	Wet	582	Ponnurangam s/o Kalliyar	Vacant
230	384/2	Wet	1590	Hemanthkumar s/o Babu	Vacant
231	384/3	Wet	1581	Hemanthkumar s/o Babu	Vacant
232	387/1 A	Wet	897	Arumugam s/o Munnusamy	Vacant

233	387/1 B	Wet	52	Arumugam s/o Munnusamy	Vacant
	387/1 C	Wet	898	Palayam s/o Rathinam	Vacant
234	387/2	Wet	549	Palayam s/o Rathinam	Vacant
235	389/1	Wet	1521	Manoharan s/o Natraraj	Vacant
236	389/2	Wet	1523	Ravisankara s/o Nataraj	Vacant
237	389/3	Wet	1525	Ravisankar s/o Nataraj and three members	Vacant
238	388	Wet	3	Adeswarar Kovil	Vacant
239	390/1	Wet	350	Sundaram s/o Palandi	Vacant
240	390/2	Wet	1522	Radhakrishnan s/o Nataraj	Vacant
241	391/1	Wet	1554	Balusamy s/oVaradan	Vacant
242	391/2	Wet	1524	Venkatesan s/o Natarajan	Vacant
243	391/3	Wet	1524	Venkatesan s/o Natarajan	Vacant
244	392/1	Wet	292	Sathyaseelan s/o Sathyanathan	Vacant
245	392/2	Wet	73	Isravel s/o Abraham	Vacant
246	392/3 A	Wet	304	Vedachalam s/o Cherian	Vacant
247	392/3 B	Wet	73	Isravel s/o Abraham	Vacant
248	395/1 A	Wet	304	Vedachalam s/o Cherian	Vacant
249	395/1B	Wet	304	Vedachalam s/o Cherian	Vacant
250	395/1C	Wet	304	Vedachalam s/o Cherian	Vacant
251	395/1D	Wet	304	Vedachalam s/o Cherian	Vacant
252	453/1	Wet	98	Elumalai s/o Balakrishnan	Vacant
253	453/2	Wet	437	Damodaran s/o Varadn	Vacant
254	453/3 A	Wet	551	Balusamy s/oVarardan	Vacant
255	453/3 B	Wet	636	Murugammal w/o Jagadeesan	Vacant
256	442/1 A	Wet	304	Vedachalam s/o Cherian	Vacant
257	442/4A 1	Wet	304	Vedachalam s/o Cherian	Vacant
258	442/4 A 2	Wet	304	Vedachalam s/o Cherian	Vacant
259	442/4 A 3	Wet	304	Vedachalam s/o Cherian	Vacant
260	442/1 B (TOWER)	Wet	582	Ponnurangam s/oKalliyam	Vacant
261	442/2 (TOWER)	Wet	582	Ponnurangam s/oKalliyam	Vacant
262	442/5	Wet	437	Damodaran s/o Varadan	Vacant
263	442/3 (TOWER)	Wet	498	Natraj s/o Kallian	Vacant
264	442/4 B	Wet		Vedachalam	Vacant
265	451/1	Wet	569	Perumal s/o Ganapathy	Vacant
266	452/2	Wet	569	Perumal s/o Ganapathy	Vacant
267	451/3	Wet	498	Natraj s/o Kalliyam	Vacant
268	443/1	Wet	582	Ponnurangam s/o Kalliyam	Vacant

269	443/2	Wet	498	Natraj s/o Kalliyam	Vacant
270	439/1 A	Wet	1408	Jayalakshmi w/o Ravi	Vacant
271	439/1 B	Wet	109	Annammal w/o Palani	Vacant
272	439/2 A	Wet	294	Chandran s/o appu	Vacant
273	439/2 B	Wet	166	Kathiravel s/o Ragavan	Vacant
274	439/2 C	Wet	326	Sigamani s/o Durairaj	Vacant
275	445	Wet	500	Elumalai s/o Mayan	Vacant
276	438/1	Wet	1250	Nandagopal s/o Parasuraman	Vacant
277	438/2	Wet	1247	Indira w/o Gangadaran	Vacant
278	438/3	Wet	1247	Indira w/o Gangadaran	Vacant
279	446/1	Wet	838	Mohana w/o Manmadan	Vacant
280	446/2	Wet	838	Mohana w/o Manmadan	Vacant
281	431	Wet	1423	Ramakrishna s/o Arumugham	Vacant
282	432/1	Wet	561	Punniakotti s/o Vengusamy	Vacant
283	432/2	Wet	1423	Ramakrishna s/o Arumugham	Vacant
284	432/3	Wet	561	Punniakotti s/o Vengusamy	Vacant
285	430/1	Wet	1413	Nirmala D/o Kasi Naicker	Vacant
286	430/2	Wet	1316	Maharani w/o Mahalingam	Vacant
287	430/3	Wet	1374	Rajendran s/o Balaraman	Vacant
288	429/1 A	Wet	863	Devendran s/o Perumal	Vacant
289	429/1 B	Wet	863	Devendran s/o Perumal	Vacant
290	429/2	Wet	569	Perumal s/o Ganapathy	Vacant
291	427/1	Wet	747	Lakshmi w/o Ramakrishnan	Vacant
292	427/2 A	Wet	569	Perumal s/o Ganapathy	Vacant
293	427/2 B	Wet	1250	Nandagopal s/o Parasuraman	Vacant
294	427/2C	Wet	1707	Saravanan s/o Kumar	Vacant
295	427/2 D	Wet	1601	Manivannan s/o Perumal	Vacant
296	428/1 (TOWER)	Wet	561	Punniakotti s/o Vengusamy	Vacant
297	428/2 (TOWER)	Wet	108	Elumalai s/o Veerapathiran	Vacant
298	543/1 A	Wet	1356	Elumalai s/o Veerapathiran	Vacant
299	543/ 1 B	Wet	1356	Elumalai s/o Veerapathiran	Vacant
300	543/ 3	Wet	1356	Elumalai s/o Veerapathiran	Vacant
301	543/ 4 A	Wet	1356	Elumalai s/o Veerapathiran	Ladies finger
302	543/4 B	Wet	1356	Elumalai s/o	Vacant

				Veerapathiran	
303	543/4 C 1	Wet	1356	Elumalai s/o Veerapathiran	Vacant
304	543/4 C 2	Wet	1356	Elumalai s/o Veerapathiran	Brinjal
305	543/ 2 B	Wet	1355	Elumalai s/o Veerapathiran	Vacant
306	543/2 A	Wet	108	Elumalai s/o Veerapathiran	Vacant
307	543/ 5 A	Wet	1355	Elumalai s/o Veerapathiran	Vacant
308	543/ 5 B	Wet	108	Elumalai s/o Veerapathiran	Vacant
309	425/1	Wet	243	Mohan s/o Murugesan	Vacant
310	425/2	Wet	243	Mohan s/o Murugesan	Vacant
311	425/3	Wet	243	Mohan s/o Murugesan	Vacant
312	425/4	Wet	1684	Ramachandra s/o Ranganathan	Vacant
313	425/5	Wet	1683	Seenivasan s/o Ranganathan	Vacant
314	425/6	Wet	1382	Vijaya w/o Prabhakaran	Vacant
315	425/7	Wet	1384	Kasi s/o Parasuraman	Vacant
316	425/ 8 A	Wet	150	Gajendran s/o Munnusamy	Vacant
317	425/8 C	Wet	150	Gajendran s/o Munnusamy	Vacant
318	425/ 8 B	Wet	773	Vijayarangan s/o Kuppammal	Vacant
319	425/8 D	Wet	1615	Velu s/o Munusamy (1) Magesh s/o Munusamy (2)	Vacant
320	425/8 E	Wet	1615	Velu s/o Munusamy (1) Magesh s/o Munusamy (2)	Vacant
321	425/ 8 F	Wet	1615	Velu s/o Munusamy (1) Magesh s/o Munusamy (2)	Vacant
322	425/8 G	Wet	1170	Gajendran s/o Munnusamy and four members	Vacant
323	546/1 A	Wet	474	Devaki w/o Elumalai	Vacant
324	546/1 B	Wet	1445	Devaki w/o Elumalai	Vacant
325	546/1 C	Wet	928	Balaraman s/o Vengu naicker(1) Kamachi w/o Veerabhadran (2)	Vacant
326	546/ 2 A 2	Wet	1375	Munusamy s/o Damodaran	Vacant
327	546/2 B	Wet	1258	Elumalai s/o Gajendran	Vacant

				(1) Ramadas s/o Gajendran	
328	424/1 A	Wet	80	Amuda w/o Dharman	Vacant
329	424/1 B	Wet			Vacant
330	424/1 C	Wet	80	Amuda w/o Dharman	Vacant
331	424/2 A	Wet	774	Vijayarangam s/o Nagappan	Ladies finger
332	424/2 B	Wet	1615	Velu s/o Munusamy	Ladies finger
333	424/3 A	Wet	1379	Munusamy s/o Damodaran	Vacant
334	424/3 B	Wet	773	Vijayarangan s/o Kuppammal	Vacant
335	548	Wet	561	Punniakotti s/o Vengasamy	Vacant
336	549	Wet	561	Punniakotti s/o Vengasamy	Vacant
337	582/1	Wet			Bitter gourd
338	582/2	Wet	904	Dharman s/o Arjunan	Ladies finger
339	582/3	Wet	904	Dharman s/o Arjunan	Vacant
340	582/4	Wet	904	Dharman s/o Arjunan	Vacant
341	583/1 A	Dry	503	Nataraj s/o Jagannathan	Palm Tree
342	583/1 B	Dry	244	Gengappan s/o Murugesan	Palm Tree
343	583/1 C	Dry	1127	Gengappan s/o Murugesan and three persons	Palm Tree
344	583/1D	Dry	371	Jayaraman S/o Arumugam	Palm Tree
345	583/1G	Dry	371	Jayaraman S/o Arumugam	Palm Tree
346	583/1F	Dry	21	Arjunan S/o Murugesan	Palm Tree
347	583/1E	Dry	503	Natarajan S/o Jaganathan	Palm Tree
348	583/1H (Tower)	Dry	927	Ramakrishnan S/o Arumugam (1) Jayaraman S/o Arumugam (2)	Vacant
349	583/2	Dry	72	Anandaraman S/o Chinnadurai	Vacant
350	423/1	Wet	438	Thayarammal W/o Arjunan	Vacant
351	423/2	Wet	1371	Arumugam S/o Natarajan	Vacant
352	423/3	Wet	905	Thayarammal W/o Arjunan (1) Alemelu W/o Natarajan (2)	Vacant

353	421/1	Wet	1371	Arumugam S/o Natarajan	Vacant
354	421/2A	Wet	1371	Arumugam S/o Natarajan	Vacant
355	421/2B	Wet	438	Thayarammal W/o Arjunan	Vacant
356	422/1	Wet	904	Dharman S/o Arjunan	Vacant
357	422/3	Wet	904	Dharman S/o Arjunan	Vacant
358	422/2	Wet			Vacant
359	584	Dry	517	Narayansamy S/o Kanniappan	Vacant
360	585	Wet	738	Manimekalai W/o Ramanujam 1 Rajkumar S/o Ramanujam 2 Ragul S/o Ramanujam 3	Vacant
361	600/1	Wet	699	Durairaj S/o Raman	Coconut
362	600/2	Wet	699	Durairaj S/o Raman	Coconut
363	600/3	Wet	699	Durairaj S/o Raman	Coconut
364	600/4	Wet	699	Durairaj S/o Raman	Coconut
365	600/5	Wet	699	Durairaj S/o Raman	Coconut
366	598 (Tower)	--		Govt. Land	Vacant
367	599/1	Wet	699	Durairaj S/o Raman	Coconut
368	599/2	Wet	699	Durairaj S/o Raman	Coconut
369	586	Wet	1361	Mohanraj S/o Paduvamani	Vacant
370	587/1	Wet	134	Anandaraman S/o Chinnadurai	Vacant
371	588	Wet	134	Anandaraman S/o Chinnadurai	Vacant
372	589	Wet	699	Durairaj S/o Raman	Vacant
373	597	Wet	699	Durairaj S/o Raman	Coconut & Teak
374	590	Wet	72	Anandaraman S/o Chinnadurai	Vacant

40. Advancing the arguments on the above grounds, the learned Senior Advocate for the applicant submits that the laying of super HTTL is entirely a new phenomenon in our country and to protect the people, safeguard the people, agriculture and livestock from the imminent danger of transmission lines. The CEA, the umbrella organization in this field has formulated statutory guidelines regarding the safety and also

for formulating transmission line routes etc. A reading of the Regulations 64 and 65 of the CEA (measures relating to electric supply) 2010 would clearly indicate that if safety norms are not strictly adopted, agriculture and other cultivations would become highly risky and impossible within the vicinity of the towers and tower lines and the same would cripple the small and marginal farmers from continuing agriculture within 220 ft (67 m) Electric Safety Zone and beyond since the above will lead to fragmentation of land as well as putting severe restrictions on agricultural operations. For example, pipelines for irrigation cannot be passed underneath the lines, usage of tractors, mechanical sprayers, harvesters and other agricultural tools will be rendered unsafe in the vicinity of the transmission line. There are restrictions on storage and transport of agricultural produce which would be a handicap to the farmers. Agriculture field is often cleaned by way of firing after the harvest and the ash would act as manure and help in the maintenance of pH the soil which is very essential for productivity. From the admission made by the 4<sup>th</sup> respondent through the report of the RDO dated 26.09.2014, the extent of land involved would be 113.5 acres belonging to 375 (wrongly indicated as 379 in view of jump in the serial numbers in the tabulation statement) different *pattadars* in Kayar village and 40 different *pattadars* in Vembedu village and totalling to 415 *pattadars*. The contention putforth by the 4<sup>th</sup>



respondent that even after the pillars are erected, the agricultural operation was possible and there would not be any hindrance to the flow of water is thoroughly wrong. There would be substantial degradation of environment involved in the implementation of the said project. The alternative route suggested by the applicant and also the *Grama Sabha* passing through 70% of the *poromboke*/wasteland and 30% through reserve forest is more feasible and implementable also. The original route envisaged by the 4<sup>th</sup> respondent passing through 100% of agricultural land and casuarina plantation is not feasible and should not be allowed in view of taking away entire interest of agriculture apart from causing hardship and degradation to the ecology. While 10.77 km of social forest was utilised for the scheme, the 4<sup>th</sup> respondent is unable to explain as to why not the reserve forest to a length of 2.73 km can be considered and utilized. The 4<sup>th</sup> respondent had admitted before the Hon'ble High Court of Madras in a writ petition that 11 acres of casuarina trees in privately owned lands would be destroyed which would mean that at the rate of 4000 trees per acre, totally 44,000 casuarina trees would be cut. In addition to this, according to the 4<sup>th</sup> respondent only 98 palm trees and 12 neem trees would be cut and removed. But, this factual position putforth by the 4<sup>th</sup> respondent is not correct. In so far as remaining 72.74 acres out of 11.5 acres is very vital to the marginal farmers of Kayar and Vembedu

villages for growing paddy, ragi, corn, vegetables etc., for their requirement of food and hay for livestock. The above also clarifies the rich bio-diversity of the villages and if the transmission line is allowed through the villages, no doubt, it would cause damage to the environment and ecology. The transmission line would bifurcate the village hamlets of Kayar and Vembedu and other surrounding villages. The alternative route suggested by the villagers was fully endorsed by the *Grama Sabhas* of both the villages by passing necessary resolutions. The 30% of the reserve forest around Kayar village also mainly consists of shrubs, thorny bushes and a few casuarina trees. The land through reserve forest is rocky and arid in nature and unfit for any plantations. The Regulation of CEA also suggests avoidance of areas having large trees in view of overall economy and keep cutting of trees to the minimum and also to avoid areas with large habitation and densely populated areas while routing the transmission line. The route proposed by the 4<sup>th</sup> respondent would end in cutting of fully grown 1557 trees of 12 different varieties and casuarina trees consisting of 1,63,040 spread in 40.76 acres which will be gross violation of law. The copy of the reserve forest clearance has been obtained for running a similar 400 KV DC line connecting Thiruvalem-Melakottaiyur (Kanchipuram District) in favour of Power Grid Corporation of India Ltd., Kalivanthapattu, Chennai for a distance of 2.567 km which is filed would

amply prove that the obtaining of reserve forest clearance is possible in a similar situation. When the 4<sup>th</sup> respondent has admitted that 400 KV transmission line has already been taken along the social forest to a distance of more than 10 km, there is no *bona fide* on the part of the 4<sup>th</sup> respondent in avoiding reserve forest in the instant project. The only difference is that in the social forest, the trees are planted whereas the trees grow naturally in the reserve forest. The suggestion of the alternative route by the villagers is also in line with the land use maps obtained from the Institute of Remote Sensing of the Anna University which is filed in Annexure 2 of the applicant's type set. Under the given situation, a study has to be made for assessing the environmental impact. Apart from that, the consents of the TNPCB are also necessary. In view of the above grounds, the respondents should be restrained from implementing the project of taking a super HTTL through the said villages.

41. Vehemently opposing the case of the applicant, the learned counsel for the contesting respondents would submit that the present route for the erection of HTTL was selected after a thorough study and survey and the alternative route suggested by the applicant was not at all acceptable for the main reason that it runs through the reserve forest and hence it is not feasible. The learned counsel submitted at length as

to how the present route selection is the best possible techno-economic route and for what reasons the alternative route proposal cannot be accepted. As stated above, the entire project was proposed to create a green corridor for the purpose of non-conventional energy between Kayathar to Ottiyambakkam and establish 400 KV SS at Sholinganallur and the said project of laying transmission line is a part and parcel of entire line of 748 km at an estimated cost of Rs. 2300 crore. Out of 2058 towers proposed in the entire stretch, erection of 2030 tower has been completed and stringing of conductor for a length of 710 km has also been completed. In the 710 km stretch 588 km has been energized. The dispute in the instant application is erection of HTTL for the stretch of 6 km through Kayar and Vembedu villages in which only 14 towers are to be erected. Though it is pleaded in the application that both the villages are densely vegetated and cultivation in large scale is being done, nowhere it has been averred in the application that both the villages are densely populated with large scale habitations and thus it is a new case putforth at the time of arguments. Hence, the contention putforth in this regard pointing to the provisions of the Regulations of CEA (Measures Relating to Electric Supply), 2010 has to be rejected. It is the pleaded case of the applicant that the installation of towers would affect cultivation in entirety and would destroy the casuarinas planted in 100 acres of land, other plantations including fruit bearing trees and

other agricultural crops and thus it would cause environmental degradation and damage to bio-diversity.

42. Pending the arguments, in order to ascertain the factual position on ground, the Tribunal thought it fit to direct the District Collector, Kanchipuram to make a joint inspection with the Revenue and TNEB officials and accordingly, the District Collector made the joint inspection in Kayar and Vembedu villages on 26.09.2014 along with the Revenue and TNEB officials. In the Joint Inspection Report, the District Collector has given all the details in respect of the lands through which the transmission line has to pass through, classification of the land, survey numbers, owner of the land and how the land is being used in both the villages of Kayar and Vembedu. In respect of Kayar village, the transmission line has to pass through 375 pieces of land owned by different persons which have been classified as wetlands and out of these 375 pieces of land, 277 were found vacant during the joint inspection which works out to 74.06%, casuarina trees were planted in 44 bits of land which works out to 11.76%, paddy and other cultivation carried is out in 41 pieces of land which accounts for 10.96% and 13 pieces of land in 3.22% utilised for other purposes like road etc. In respect of Vembedu village, out of 40 pieces of land, 37 pieces of land are vacant which is 92.5% and 3 pieces of land where casuarina trees

were planted which is 7.5%. The applicant did not dispute the contents or the factual particulars furnished in the joint inspection report. The Tribunal is also not able to see any reason or circumstance not to act upon the same. From the perusal of the report placed by the revenue authorities after making a thorough inspection it is quite evident that out of the location of the proposed 14 towers, 12 were found vacant. In so far as the pieces of land through which the transmission path of the lines is proposed, as seen from the report, many of them are vacant and fallow. Only a few were found with paddy crop or vegetables. As rightly pointed out by the learned counsel for the respondents, more than 80% of the lands in aggregate in both the villages of Kayar and Vembedu were found vacant. The explanation given by the applicant that during September month there would not be any cultivation and hence the lands were found vacant cannot be accepted. It is pertinent to point out that in some of the lands paddy cultivation was found at the time of inspection and hence the case of the applicant that if the towers were to be erected cultivation in majority of the land could not be done would lose force. Equally, the contention that if the towers are installed no cultivation can be undertaken cannot also be accepted in view of the evidence adduced by the respondents to show that cultivation even after erection of the towers is possible. The photographs filed by the 4<sup>th</sup> respondent in respect of the towers erected for the very same project

would clearly reflect that the cultivation is being done below those towers. Another contention that EIA of the project is required apart from the necessary consents from the TNPCB has no legal force. No statute contemplates or requires any EIA or EC or Consents from the Pollution Control Board for the erection of transmission towers. The main grievance ventilated by the applicant is that the erection of the towers and transmission line would destroy agricultural operations and damage the plantations has no supportive evidence. Even assuming to be so, the cultivation can be carried out even after erection of towers. It remains to be stated that how the same would cause degradation of ecology and cause damage to the environment.

43. It was also contended by the applicant's side that erection of towers would affect surface soil fertility and also cause depletion of water since each of the four legs of the towers would be for a depth of 20 ft and width and breadth of 40 ft and 34 ft, respectively and to that extent and for that purpose 4 such pits are to be excavated for each tower. This contention is replied by the 4<sup>th</sup> respondent that for each leg of the tower a pit of 23 ft x 23 ft to a depth of 12 ft would be made. The concrete will be poured in for a height of 2 ft at the bottom while the remaining depth would be refilled with the same excavated soil and apart from that, a column of 3 ft x 2 ft protruding for a height of 2 ft from

the ground will be made and thus, there cannot be any loss of surface soil or fertility. If the towers are to be erected as putforth by the respondent authorities, there cannot be any loss of surface soil fertility and even if it happens by erection of towers, it would be to a minimum extent. There is nothing to indicate any depletion of water which would cause or block any water stream or course.

44. The learned Senior Advocate for the applicant laboured much on the ground that while an alternative route was readily available through *poromboke* and Government lands along the periphery of the villages, the *patta* lands of the villagers can well be avoided. The suggestion putforth for the alternative route cannot be accepted for more reasons than one. A detailed survey was made by the Superintending Engineer of the TNEB between 30.01.2014 and 02.02.2014 as could be seen from the proceedings dated 07.02.2014 and the report would clearly indicate that the alternative route suggested by the villagers, if adopted, it would have to be laid for a length of 2.33 km in the reserve forest. If the lines are to be taken through the reserve forest, it is very likely to affect the bio-diversity of the reserve forest and also affect the vegetation therein.

45. It is also contended by respondents that if the transmission path is altered to pass through the reserve forest, the distance of the



transmission line would have to be extended to 10.86 km from 6.86 km and the number of towers required would increase from 21 to 30. Regulation No. 88 of CEA (Measures Relating to Electric Supply), 2010 speaks about the precautions to be taken while selecting the route for the transmission line which specifically mandates to avoid reserve forest as follows:

*“88. Routing of Transmission Line:- The transmission route shall be selected keeping in view the following.*

- (1) Routing of a transmission through protected or reserved forest shall be avoided. In case it is not possible to completely avoid the forests or areas having large trees, keeping in view the overall economy, the route shall be aligned in such a way that cutting of trees is minimum. Routing of a transmission line through National Parks or Wildlife sanctuaries should also be avoided.*
- (2) Restricted areas such as civil and military airfields shall be avoided. Care shall also be taken to avoid aircraft landing approaches.*
- (3) The line routing should avoid large habitations, and densely populated areas.*
- (4) \*\*\**
- (5) \*\*\**
- (6) \*\*\**

As such, while selecting the route for the transmission line, nowhere the above Regulations impose any restriction to avoid agricultural lands. It is true that the routing of the line should avoid large habitations and densely populated area. But, in the instant case, neither it is pleaded nor proved to indicate that the present transmission line is routed through large habitations or densely populated areas. The contentions put forth by the applicant that the entire project is only for catering to the 8 industries in that area and the contention put forth by the respondents that the interest of the applicant representing the land owners is only a commercial interest for using the land for real estate activities are worth to be ignored.

46. In so far as the criticism levelled by the applicant that the name of the one of the villages, namely, Vembedu did not figure in the paper publication and in the Tamil Nadu Government Gazette notification, it has to be pointed out it would suffice if the intention of the authorities only to mention the route through which the transmission lines are drawn and non-mentioning of the names of the some of the villages in the notification will not vitiate the project even if the villages of the applicants fall between two places whose names are already given in the notification under the head "route". Thus, the applicant cannot be permitted to contend that the non-mentioning of the name of the village

specifically would disentitle to the TNEB from drawing the overhead line through the villages. This view is fully supported by a decision of the Hon'ble Division Bench of the Madras High Court rendered in W.A.Nos. 1013 and 1014 of 2014.

47. It would be apt and appropriate to cite here the excerpts in paragraphs 15 and 18 of the judgment dated 21.11.2014 of the Hon'ble Madras High Court made in W.P.No. 18633 of 2014 which would aptly apply in the present case on hand to decide the issue:

*“15. This decision of the Hon'ble Division Bench also squarely applies to this case. In this case, the petitioners contend that the respondents failed to even mention the names of their villages. As held by the Division Bench of this Court, mere non-mentioning of the villages specifically will not be a ground to interfere with the execution of the project by this court.*

16. \*\*\*

17. \*\*\*

*18. .... that “when substantial justice and technical considerations are pitted against each other, the cause of substantial justice deserves to be preferred and the court may in the larger interest of administration of justice may excuse or overlook a mere irregularity or a trivial breach of law for doing*

*real and substantial justice to the parties and pass orders which will serve the interest of justice best.” The said ratio laid down by the Hon’ble Supreme Court is applicable to this case. In the preset case, the project sought to be executed by the respondents is in the interest of public at large. It is well settled that public interest will always outweigh the private interest. The project sought to be implemented is a very essential one to transmit the electric power from the Northern States of India to Tamil Nadu and also wind power from Southern Region of Tamil Nadu to tide over the burgeoning power crisis. It is also stated in the counter that about 80% of project work has been completed. It is further stated that due to the pendency of this writ petition, the project has been stalled and it would not be completed. Even though there are some technical flaws committed by the respondents, it cannot be a ground for interference. In any event, it is stated that the line proposed to pass through the land of petitioners will not in any manner affect their cultivation. As mentioned above, the project is being implemented in the larger public interest to tide over the power shortage witnessed in the State. While executing such project of greater importance, the respondents have complied with all the formalities under law. In those circumstances, I am not inclined to interfere with the order passed by the second respondent”.*

48. In the instant case, we have to strike a balance between the larger public interest and the interest of smaller number taking into consideration the concept of Sustainable Development and the pressing circumstances when a project is proposed. The Tribunal had an occasion to consider the above issue in Application Nos. 12 of 2012 (SZ) and 6 of 2013 (SZ) in the matters of *Leo F. Saldhana, Bangalore Vs. Union of India rep. by its Secretary, MoEF, New Delhi and others and Environmental Support Group, Bangalore Vs. Union of India rep. by its Secretary, MoEF, New Delhi and others, respectively, on 27.08.2014 (2014 ALL(I) NGT NGT Reporter (3) (SZ)* whereby it was held as follows:

*“46. The definition of “sustainable development” which Brundtland gave more than 3 decades back still holds good. The phrase covers the development that meets the needs of the present without compromising the ability of the future generation to meet their own needs. In Narmada Bachao Andolan v. Union of India, this Court observed that sustainable development means the type or extent of development that can take place and which can be sustained by nature/ecology with or without mitigation. In these matters, the required standards now is that the risk of harm to the environment or to human health is to be decided in public interest,*

according to a “reasonable person’s” test. [See *Chairman Barton: The Status of the Precautionary Principle in Australia* (Vol. 22, 1998, *Harv. Envtt. Law Review*, p.509 at p. 549-A) as referred to in *A.P. Pollution Control Board v. Prof. M.V. Nayudu*].

238.5. In *T.N. Godavarman Thirumalpad (through K.M. Chinnappa) v. Union of India and others*, this court observed that it cannot be disputed that no development is possible without some adverse effect on the ecology and environment, and the projects of public utility cannot be abandoned and it is necessary to adjust the interest of the people as well as the necessity to maintain the environment. A balance has to be struck between the two interests. Where the commercial venture or enterprise would bring in results which are far more useful for the people, difficulty of a small number of people has to be bypassed. The comparative hardships have to be balanced and the convenience and benefit to a larger section of the people has to get primacy over comparatively lesser hardship.

238.6. In *Narmada Bacho Andolan v. Union of India and others*, a three-Judge Bench, while dealing with the public projects and policies, has opined that the court does not become the

approving authority of such polices.  
Thereafter, the Bench observed thus:-

*“Normally such decisions are taken by the Government after due care and consideration. In a democracy welfare of the people at large, and not merely of a small section of the society, has to be the concern of a responsible Government.”*

196. Needless to say that the principle ingrained in the Doctrine of Sustainable Development is that if a project is beneficial for the larger public, the inconvenience caused to a smaller number is to be accepted. It was to be accepted as a proposition of law that the individual interest for that matter for smaller public interest must yield to larger public interest. Inconvenience of the same should be bye-passed for a larger interest or cause of the society. As noticed above, no doubt, the activities of the respondents in the sites allotted to them would certainly cause inconvenience or hardship to the villagers around those kaval lands. At this juncture, it is pertinent to point out that the lands are not being cultivated and there are no habitations also in the entire extent of 9, 300 acres. The allotted land forms only a part of the total area of kaval lands in Chitradurga district, while remaining parts are kept very well available. The applicants were able

*to show the existence of endangered species and habitats. As pointed above, the lands were originally reserved for Amrit Mahal breed for the purpose of grazing. It is also admitted by the applicants that the Amrit Mahal breeds are low in numbers in all the villages around the kaval lands in question. They ventilated the grievance of villagers who were rearing sheep and collecting the firewood etc., from kaval lands in question. It should not be forgotten that the no one of the villagers inhabits in the kaval lands in question, but they are residing around the kaval lands. Hence, there cannot be any impediment or hindrance for them to carry on the same activities in the remaining kaval lands which are available. In so far as the religious and sentimental issues are concerned, the respondents/allottee project proponents have undertaken to permit them to carry on the festivals and ceremonies as per schedule every year”.*

49. From the discussions made above it is held that the application made by the applicant lies within the jurisdiction of the NGT under the provisions of the NGT Act, 2010 and it is also not barred by time. But, on merits, the Tribunal is unable to notice any ground urged by the applicant that would cause degradation to environment and damage to ecology and thus, the application is devoid of merits.



50. Hence, the application is dismissed. However, liberty is given to the applicant to approach the appropriate forum for necessary reliefs, if so advised.

No cost.

(Justice M. Chockalingam)  
Judicial Member

(Prof. Dr. R. Nagendran)  
Expert Member

Chennai  
Dated, 22<sup>nd</sup> April, 2015

NGT