

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

**Application No.05 of 2013 (SZ)**

**IN THE MATTER OF:**

M/s. Pannaiyoor Regional Citizens Welfare Trust  
Rep. by its Secretary  
22-25, Pannaiyoor  
Rajakkamangalam P.O  
Kanyakumari Dist.

... Applicant(s)

**AND**

1.The Ministry of Environment and Forest  
Union of India  
Rep. by its Secretary  
CGO Complex, Lodhi Road  
New Delhi.110 003

2.Tamil Nadu State Pollution Control Board  
Rep. by its Chairman  
Anna Salai  
Chennai.600 032

3.The District Environmental Engineer  
Tamil Nadu State Pollution Control Board  
No.30, Kesari Street  
Mathias Nagar  
Nagercoil.

4.The District Collector  
Kannayakumari District  
District Collectorate Complex  
Kannayakumari.

5.M/s. Rajakkamangalam Thurai Fishing Habrour Pvt Ltd  
Rajakkamangalam Thurai  
Kanyakumari District  
Tamil Nadu

6. The Member Secretary  
The Tamil Nadu State Coastal Zone  
Management Authority  
Panagal Building, Saidapet  
Chennai.

7.The Principal Chief Conservator of Forest  
Head of Forest Force  
Panagal Building  
Saidapet  
Chennai.

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Respondents

**Counsel appearing for the Applicant:**  
**Mr. Clifton D' Rozario**  
**Ms.Maitreyi Krishnan**

**Counsel appearing for the Respondents:**

**Mrs. C. Sangamithirai for R-1**  
**Mrs. Rita Chandrasekar for R-2 and R-3**  
**Mr. M.K. Subramaniam for R-4**  
**Mr .D. Aravindan**  
**Mr. Kamalesh Kannan**  
**Mr. Subramanian**  
**Mr. S. Sai Sathya Jit for R-5**

**Application No.04 of 2014 (SZ)**

**IN THE MATTER OF:**

Mr. Dharmakrishnan  
Son of Thangiah Nadar  
Pannaiyur  
Ethamozhi Post-629 501  
Kanyakumari District

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Applicant(s)

**AND**

1.The Principal Chief Conservator of Forest  
Head of Forest Force  
Panagal Building  
Saidapet  
Chennai.

2.The Secretary to Government  
Environment and Forest Department  
Government of Tamil Nadu  
Fort St. George  
Chennai.600 009.

3.The Secretary to Government  
Animal Husbandry Dairying and  
Fisheries (FSI) Department  
Government of Tamil Nadu  
Fort St. George  
Chennai.600 009

4.The Commissioner of Fisheries  
Government of Tamil Nadu  
DMS Complex, Teynampet  
Chennai-600 006

5.The Managing Director  
Tamil Nadu Fisheries Development Corporation Ltd  
DMS Complex, Teynampet  
Chennai-600 006

6.The Task Team Leader  
Emergency Tsunami Reconstruction Project  
World Bank, Lodi Estate  
New Delhi.

7. The District Collector  
Kanyakumar District  
Nagercoil-629 001

8. The Revenue Divisional Officer  
Nagercoil.

9. The Managing Director  
M.A.R.G. Limited  
Rajakkamangalam-629 501  
Kanyakumari District

10.Rajakkamangalam Thurai Development Trust  
Rajakkamangalam Thurai and Post  
No.26/40, Arokiya Annai Building  
Agastheeswaram Taluk  
Kanyakumair District  
Rep by its Chairman, Mr. G. Soosai Anthony  
(R-10 impleaded as per Order dt.19.03.2013 in  
MM. 01/12)

11.The Chairman  
Tamil Nadu IPollution Control Board  
Anna Salai  
Chennai.32

12.The District Environmental Engineer  
Tamil Nadu Pollution Control Board  
30, Kesari Street  
Mathias Nagar  
Nagercoil-620 001

13.The President  
Rajakkamangalam Panchyat  
Rajakkamangalam  
Kannayakumari District  
(R-11 – 13 impleaded vide Order dt.2.7.2013  
In M.P.01/12)

14.The Secretary to Government  
Ministry of Environment and Forest  
Union of India  
CGO Complex, Lodhi Road  
New Delhi.110 003

15. The Member Secretary/Director of Environment  
Tamil Nadu Coastal Zone Management Authority  
Panagal Building, Saidapet  
Chennai.  
(R-14 -15 impleaded vide Order dt.9.12.2013 in  
M.P.01/ of 2013)

... Respondent(s)

**Counsel appearing for the Applicant:**  
**Mr. Clifton D' Rozario**  
**Ms.Maitreyi Krishnan**

**Counsel appearing for the Respondents:**

**Mr. M.K. Subramanian for R-1 to R-4**  
**R-7, R-8 and R-15**  
**Shri M. Kempraj for R-5**  
**M/s. TAAURS Associates for R-10**  
**Mrs. Rita Chandrasekar for R-11 and R-12**  
**Mrs. C. Sangamithirai for R-14**

**Application No.69 of 2015 (SZ)**

**IN THE MATTER OF:**

M/s. Rajakkamangalam Thurai Fishing Harbour Pvt. Ltd.  
Rep. by its Managing Director  
No.26/40, St. Arockia Annai Building  
Rajakkamangalam Thurai and Post  
Agastheeswaraam Taluk  
Kanyakumari Dist.

... Applicant(s)

**AND**

1.The Ministry of Environment and Forest  
Union of India  
Rep. by its Secretary  
CGO Complex, Lodhi Road  
New Delhi.110 003

2.The Member Secretary  
The Tamil Nadu Coastal Zone Management Authority  
Panagal Building, Saidapet  
Chennai

3.Pannaiyoor Region Citizens Welfare Trust  
22-25, Pannaiyur  
Rajakkamangalam P.O.  
Kanyakumari District.

..... Respondent(s)

**Counsel appearing for the Applicant:**  
**Mr. K. Senth Kumar**  
**Mr. J.P. Rajesh**

**Counsel appearing for the Respondents:**

**Mrs. C. Sangamithirai for R-1**  
**Mr. M.K. Subramaniam for R-2**

## **ORDER**

**PRESENT:**

**HON'BLE SHRI JUSTICE M. CHOCKALINGAM, JUDICIAL MEMBER**

**HON'BLE SHRI P.S. RAO, EXPERT MEMBER**

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**Dated 29<sup>th</sup> SEPTEMBER, 2015**

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Whether the Judgement is allowed to be published on the Internet – Yes/No

Whether the Judgement is to be published in the All India NGT Reporter – Yes/No

### **Application Nos. 5 of 2013, 4 of 2014 and 69 of 2015:**

The counsel for the parties are present. Both the Application Nos.5 of 2013 and 4 of 2014 concentrate on setting aside the Coastal Regulation Zone (CRZ) Clearance dated 18.07.2011 granted for construction of Rajakkamangalam Fishing Harbour at Needakarai B Village, Agastheewaran Taluk, Kanyakumari District. Now this day, the Counsel for Ministry of Environment, Forest and Climate Change (MoEF &CC) has filed an order dated 11.9.2015 issued by MoEF&CC cancelling the Coastal Regulation Zone (CRZ) Clearance dated 18.07.2011 granted for construction of Rajakkamangalam Fishing Harbour at Needakarai B Village, Agastheewaran Taluk, Kanyakumari District, which is challenged in the Application Nos.5 of 2013 and 4 of 2014. Under such circumstances, nothing remains to pursue in the above applications and the same is recorded.

On being mentioned, the Application No.69 of 2015 is taken up for hearing this day. It is brought to the notice of the Tribunal that Application No.69 of 2015 was filed by the Project Proponent of Rajakkamangalam Thurai Fishing Harbour Private Ltd., challenging the show cause notice issued by the MoEF&CC calling for reply as to why not CRZ Clearance given to the Rajakkamangalam Thurai Fishing Harbour Private Ltd.,

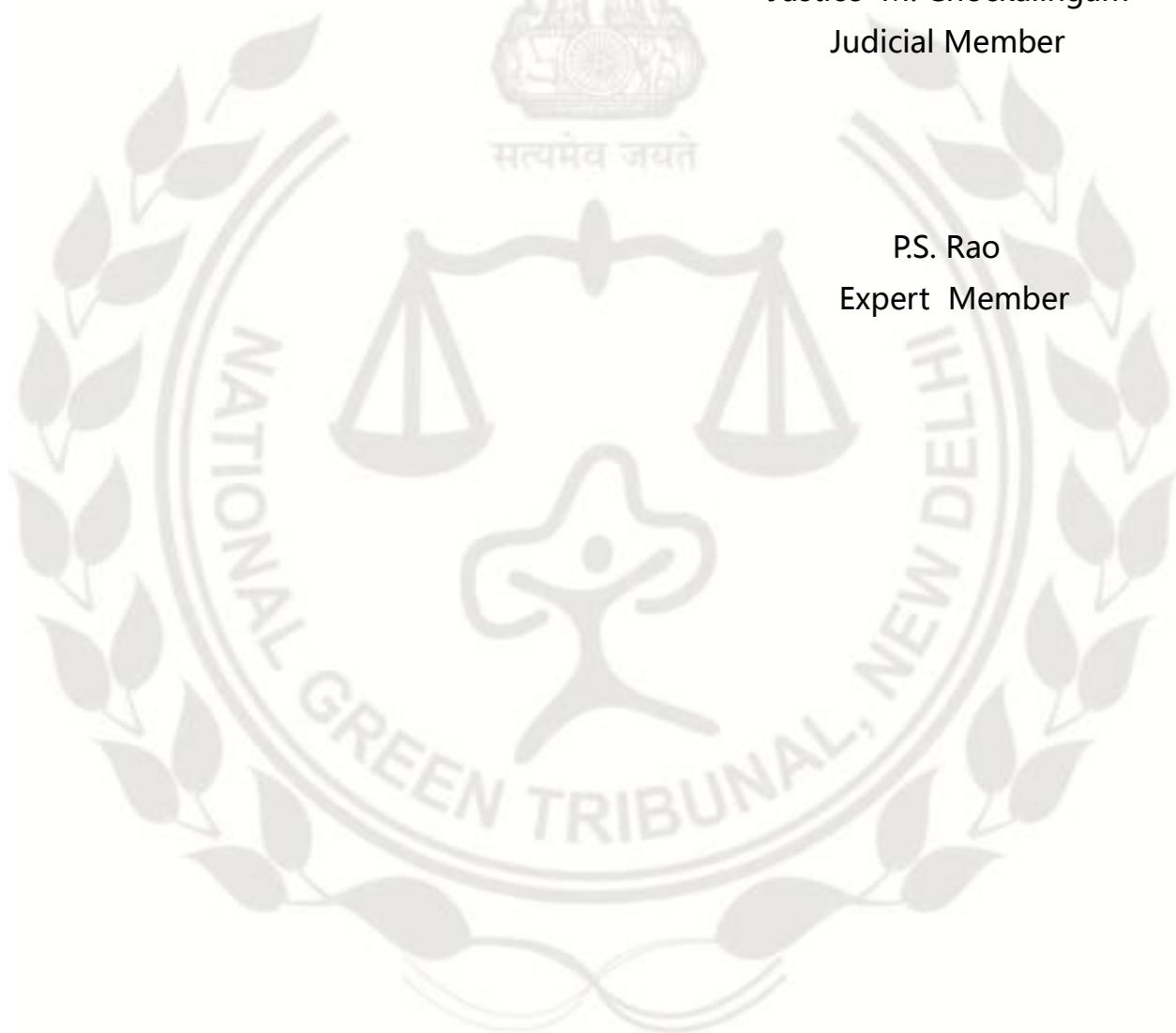
be cancelled. In view of the cancellation of the CRZ Clearance challenged in the Application Nos.5 of 2013 and 4 of 2014 nothing survives and the applications have to be disposed of and not to be prosecuted. Hence all the three Applications i.e Application Nos.5 of 2013, 4 of 2014 and 69 of 2015 are disposed of. No cost.



सत्यमेव जयते

Justice M. Chockalingam  
Judicial Member

P.S. Rao  
Expert Member



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