

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

Original Application No. 102 of 2021 (SZ)

With

Original Application No. 02 of 2020 (SZ)

IN THE MATTER OF:

S. Kumaradasan,
Vice President,
Velachery, Chennai

...Applicant(s)

Versus

The Government of Tamil Nadu,
Chief Secretary, Chennai and Others

...Respondent(s)

With

Tribunal on its own motion SUO MOTU based
On the News Item in Dinamalar Tamil newspaper,
“Velachery lake-full due to Monsoon” Plea for preventing
sewage waste get mixed in the lake.

And

The Government of Tamil Nadu,
Rep by its Chief Secretary and Others

...Respondent(s)

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Through
Dr. D. Shanmuganathan
Standing Counsel
National Green Tribunal
Southern Zone

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI

Original Application No.102 of 2021 (SZ)

IN THE MATTER OF:

S. Kumaradasan

Vice President Velachery Eri Pathukappu Iyakkam,
Velachery, Chennai.

...Applicant (s)

-Vs-

1. The Government of Tamil Nadu,
Rep by its Chief Secretary
Government Secretariat
Fort St. Geroge, Chennai-600 009.
2. The Secretary to Government of Tamil Nadu
Department of Public Works
Government Secretariat
Fort St. Geroge, Chennai-600 009
3. The Secretary to Government of Tamil Nadu
Department of Municipal Administration and
Water Supply
Government Secretariat
Fort St. Geroge, Chennai-600 009
4. The Director of Environment
Department of Environment
Ground Floor, Pangal Building
No.1, Jeenis Road, Chennai-600 015
5. The Chairman
Tamil Nadu Pollution Control Board
No. 76, Anna Salai, Guindy
Chennai-600 032

6. The Greater Chennai Corporation
Rep. by Commissioner
Rippon Building Park Town
Chennai-600 003

7. The Chennai Metropolitan Water and Sewerage Board
Rep. by its Managing Director
No.75, Santhome High Road, MRC Nagar
R.A. Puram, Chennai-600 028

8. Tamil Nadu Water Resources Organization
(Public Works Department)
Rep. by its Engineer-in-Chief and
Chief Engineer (General), PWD
PWD office compound, Chepauk,
Chennai-600 005

...Respondents

STATUS REPORT SUBMITTED BY THE
9TH RESPONDENT / DISTRICT COLLECTOR, CHENNAI

I, Tmt.M. Aruna, I.A.S. wife of Dr.P. Senthil Murugan, Hindu, aged about 46 years, discharging the duties from 19.06.2023 as the District Collector, Chennai, having office at Chennai Collectorate, Singaravelar Maligai, Rajaji Salai, Chennai- 600 001, do hereby, solemnly affirm and sincerely state as follows:

2. I humbly submit that when the above case came before Hon'ble Green Tribunal . Southern Zone and passed an order the vital verdict of the same as follows has given a direction to the committee members as follows:

"... In order to ascertain the genuineness of the allegations made in the application, we feel it appropriate to appoint a joint committee comprising of

- 1) The District Collector, Chennai District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate deputed by the District Collector.

- 2) The Superintending Engineer of Public Works Department (PWD) and Water Resources Organisation (WRO),
- 3) Senior Officer deputed by the Commissioner, Greater Chennai Corporation,
- 4) Senior Officer from the Tamil Nadu Pollution Control Board (TNPCB) deputed by its chairman
- 5) Senior Officer from Chennai Metropolitan Water Supply & Sewerage Board (CMWSS) to inspect the area in question and submit a factual as well as action report if there is any violation found.

I respectfully submit that, 9th Respondent / District Collector, Chennai was impleaded on 21.06.2021 by the Hon'ble National Green Tribunal in its order date 06.01.2023. The District Collector, Chennai as well as the Water Resources Department (WRD) was directed therein to file their reports after inspection of the lake regarding, the action to be taken for the removal of encroachments as well as the removal of water hyacinth spread on lake.

It is respectfully submitted, that order of Hon'ble Green Tribunal, Southern Zone, the Revenue records were perused, On perusal of the Velachery Taluk's TSLR Extract for Velachery Eri, it was found that the said Old Survey filed No.123/1 of Velachery Village stands classified as "Sarkar Poramboke" with an extent of 265.48 Acres. Velachery Eri stands in the name as "ERI" as per revenue records maintained in the Velachery Taluk.

It is respectfully submitted that the above old survey No. 123/1 pt, as of now stands as T.S..No.80/1, 115/1, 116/1, 117/1, 118/1 in the TSLR register. And the above T.S.Nos. have been alienated to TNHB & TNUHDB through government orders.

A. Tamil Nadu Housing Board:

As per the G.O. No. 642 Housing and Urban Development dated: 30.05.1990 in Velachery village, Government land to an extent of 54.47 acre at old survey no.123/1 pt was allotted to TNHB for implementation of the department schemes. Tamil Nadu Housing Board also informed that in the year 1992 Land revenue was paid by them for

the old S.No.123/1pt. Hence at Velachery Village in Old survey No. 123/1 pt land was allotted to the individuals and approximately 3000 houses are present.

B. Tamil Nadu Urban Habitat Development Board

Tamil Nadu Urban Habitat Development Board allotted sites to the individuals at Velachery Village in Old Survey No. 123/1 pt in the year 2005 as per various G.O's and the allottees were migrated to the above said land and the land allotted areas are currently named as Kakkan Jee nagar Phase-I, Kakkan Jee nagar Phase II, Lakshmipuram, Ganapathy Nagar, Periyar Nagar, Nehru Nagar Phase I, Nehru Nagar Phase II and Ex-Service Colony as House dwellings, Vide G.O.No. 506, Revenue Department dated: 31.08.2005, G.O.No. 524, Revenue Department dated: 09.09.2005, G.O.No. 653, Revenue Department dated: 05.12.2005, G.O.No. 60, Revenue Department dated: 21.07.2005, G.O.No. 509, Revenue Department dated: 21.11.2014, G.O.No. 454, Revenue Department dated: 08.08.2005, As per G.O.No. 222, Revenue Department dated:04.02.2021. It was also instructed to effect changes in Permanent Land Register (PLR) in favour of TNUHDB at Velachery Village in Old Survey No. 123/1 pt for Block No. 101, 102, 103 and a few to an extent of 1.04.46.0 Hectares. (2.58 acre)

It is respectfully submitted that the Velachery Eri's boundaries are encroached by independent houses, Commercial Shops and Worship Spots as detailed below.

S.No.	Old Survey No	Block No	T.S.No	Total Extent (Hectare)	Total Encroachment (Approximately)	Encroached Extent (Sq.ft) (Approximately)
1	123/1 pt	80	1	08.56.49.0	238	147798
2	123/1 pt	115	1	01.23.65.0	41	40866
3	123/1 pt	116	1	05.18.88.0	175	150256
4	123/1 pt	117	1	10.38.30.0	118	81756
5	123/1 pt	118	1	11.31.20.0	103	80262
6	123/1 pt	53	2	2.39.92.5	74	75400
TOTAL				39.08.44.5	749	577338 Sq.ft. (5.36.36.0 Hec.)

It is respectfully submitted that there are 749 encroachments identified in Old survey No.123/1 pt of Velachery Village. The details of encroachments along with the

FMB sketch in Form I and Form II have been furnished to the Executive Engineer, Public Works Department, Chepauk under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 vide Letter No.A1/108/3/2022, Dated: 04.08.2022 by the Tahsildar, Velachery for removal of the encroachment.

As directed by Hon'ble High court in W.P.No.19282/2023 dated. 11.07.2023 and W.P.No.20406/2023 dated.12.07.2023 to survey and demarcate the boundaries of the Velachery lake in old survey no.123/1 pt total extent 265.48 acres in Velachery village, a dedicated team of surveyors were directed to measure the lake and the survey was done from 26.07.2023 to 04.08.2023, in the presence of PWD Officials and Writ Petitioners along with Revenue Officials and the boundaries have been identified and marked. It is submitted that there is no change in the boundaries as measured earlier. As per Act Tahsildar, Velachery has issued form I & II to PWD & Eviction notice (form III) has been issued by PWD(WRD), Padappai, Chengalpattu District to the encroachers.

It is humbly prayed that this Hon'ble Tribunal may be pleased to accept this status report and to pass suitable order or orders as this Hon'ble Tribunal may deem fit and proper under the circumstances of this case and thus render Justice.

Solemnly affirmed at Chennai on this
the ...^{2nd}.....day of September 2023 and
deponent signed his name in my present


District Collector, ¹⁵
COLLECTOR OF CHENNAI
Chennai District.
CHENNAI-600 001.

Before me