

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 125 of 2021 (SZ) &**

**I.A. Nos. 174 of 2022 & 18 of 2023 (SZ)**

**IN THE MATTER OF:**

R.Balakrishnan,

Cuddalore

...Applicants

Versus

The District Collector,

Cuddalore and Ors

...Respondents

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

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National Green Tribunal, Southern Zone

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI**

**Original Application No. 125 of 2021 (SZ)**

**&**

**I.A No. 174 of 2022 (SZ)**

**IN THE MATTER OF:**

R. Balakrishnan,  
269, Thillaiamman Nagar,  
Lalpuram Post,  
Chidambaram Taluk,  
Cuddalore – 608 602

...Applicant(s)

Versus

1. The District Collector,  
Cuddalore – 607 601
2. The Sub – Collector  
Chidambaram.  
Cuddalore – 608 001
3. The Commissioner,  
Chidambaram Municipality,  
Chidambaram, Cuddalore – 608 001
4. The District Environmental Engineer,  
Tamil Nadu Pollution Control Board,  
Cuddalore – 607601
5. The Block Development Officer,  
Kumaratchi Panchayat Union,  
Cuddalore – 608 302

6. The Executive Engineer,  
The Tamil Nadu Drainage Board,  
Cuddalore – 607 601
7. The Tahsildar,  
Chidambaram,  
Cuddalore – 608 001
8. The Parangipettai Panchayat Union,  
Chidambaram,  
Cuddalore.
9. Hindu Religious Charitable Endowments Department,  
Rep. by its Commissioner,  
119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai – 600 034

...Respondent(s)

**Report Filed by the Sub - Collector, Chidambaram**

I, Tmt. Sweta Suman, I.A.S., working as Sub - Collector, Chidambaram, is well known with the facts of the case on the records available at the office, do hereby solemnly affirm and sincerely state as follows:

1. It is submitted, the National Green Tribunal (SZ), has passed an order dated 11.06.2021 to remove the encroachments of water bodies in and around Chidambaram. The Encroachments in water bodies were removed by Chidambaram Municipality, Revenue Department and Police department, and the same was confirmed by the report submitted by Chidambaram Tahsildar and Block Development Officer, Kumaratchi.
2. It is submitted that, in the Cuddalore District, Chidambaram Taluk, Parameswaranallur Village Survey No. 129- 1.48.0 Hectares, 0.37.5 Ares is shown in the Exhibit, the order was issued by the District collector, Cuddalore letter no. V2/48034/2000 dated: 14.09.2000. In the sub-division as follows, the Re- Survey No. has been calculated and 37 persons who have constructed houses and living there for more than 10 years have been handed patta in the year 2001. At present, at the allotted area 59 persons have built

houses (wherein Hut House – 24, Floor House – 26, Sheet House – 7 and Tiled House – 2) according to the statement given by the Tahsildar Chidambaram.

Village Name	Survey No. before the field classification change	Area In Hectares	S. F No. before Re-Survey No.	Survey No. after the field classification change	Area	S. F No. after Re-Survey No.
Parameshwaranallur Village	129/1	1.48.0	Hail	129/1	0.45.50	Pathway
				129/2	0.01.00	Natham
				129/3	0.00.97	Natham
				129/4	0.02.83	Natham
				129/5	0.01.79	Natham
				129/6	0.02.48	Natham
				129/7	0.05.70	Pathway
				129/8	0.12.40	Natham
				129/9	0.59.50	Pond
				129/10	0.01.00	Natham
				129/11	0.02.00	Natham
				129/12	0.04.00	Natham
				129/13	0.01.95	Natham
				129/14	0.00.98	Natham
				129/15	0.02.94	Natham
				129/16	0.00.98	Natham
				129/17	001.00	Natham
				129/18	0.00.98	Natham
					<b>1.48.00</b>	

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3. It is submitted that, according to the Tahsildar Chidambaram report, the total area is reserved with the land patta provided for 0.37.30 Ares, patta land holders get road (pathway) facilities with certain space is also provided for the public usage, now the 0.5120 Ares are for the public usage, (excluding 0.45.5 Ares and 0.0570 Sq. metres) the remaining 0.59.5 Ares is a Pond as per the report.
4. It is submitted that, in the Survey No. 129/9, a pond is recorded. There are 5 encroachments in the said pond (Survey No.129/9) and to evict the said encroachers, the Exhibit – 1 is prepared by the Tahsildar Chidambaram and is sent to the Kumaratchi Block Development Officer, and the letter has been marked as Exhibit – 3.
5. It is submitted that, after joint inspection conducted by me, Tahsildar Chidambaram along with Block Development Officer, Kumarachi and based on the report of Block Development Officer, Kumarachi, the inlet and outlet Channels of the pond have no encroachments, and there is no outfall of sewage and sullage.
6. It is submitted that, in the said Exhibit – 4, the encroachers at Survey No. 129/9 has been evicted on 24.04.2023 by the Kumaratchi Block Development Officer, Kumaratchi Panchayat Union, C. Thandaeswaranallur Panchayat, Parameshwaranallur Village. The photographs for the eviction carried out, attached along with this report.

Date: 24.07.2023

Signature : Sweta Summan  
24/7/23.  
with seal ASSISTANT COLLECTOR  
CHIDAMBARAM

#### Verification

I, Tmt. Sweta Summan, I.A.S., working as Sub – Collector, Chidambaram do hereby verify that the contents of above report are true to the best of my knowledge through records.

Date: 24.07.2023

Signature: Sweta Summan  
24/7/23  
with seal ASSISTANT COLLECTOR  
CHIDAMBARAM

சென்னை அலுவலகம்,  
129/9  
பி.சி.சி.பி.  
பி.சி.சி.பி.

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**Item No. 04:-**

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

*(Through Video Conference)*

**Original Application No. 125 of 2021(SZ) &  
I.A. No. 174 of 2022(SZ) & I.A. No. 18 of 2023(SZ)**

**IN THE MATTER OF:**

R. Balakrishnan,  
Cuddalore.

...Applicant(s)

*Versus*

The District Collector,  
Cuddalore and Ors.

Respondent(s)

Date of hearing: 28.03.2023.

**CORAM:**

**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Mr. S. Kolandasamy & Mr. C.S. Saravanan.

For Respondent(s): Dr. D. Shanmuganathan for R1 to R3, R5, R8 to R10.  
Mr. Purushothaman represented  
Mr. P. Srinivas for R4.  
Mr. S. Sai Sathya Jith for R6.

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**ORDER**

1. The learned Government Pleader would submit that though the report is ready, he is unable to upload the same. We have also perused the original records produced by Deputy Tahsildar who is personally present before this Tribunal.
2. From the perusal of the records, it is seen that there was a Government Order viz., G.O. No.168 of Revenue Department dated 27.03.2000, permitting the water channels, grazing lands, graveyards, and pathways which were no longer put to use of the same category has been converted into Natham and assigned to the persons who have been already encroached and occupied the said lands. However, it is stated that those assignees were not issued with patta till 2021.
3. Admittedly, pattas were issued to them only in the year 2021. If the applicant is aggrieved by the issuance of the patta, it is open to him to challenge the same before the appropriate forum.
4. We are only now concerned with the sewage and sullage water being let into the Kulam which was originally said to be 1.48 Hectares and now shrunk to 0.59 Hectares. If these constructions by the assignees, who were subsequently issued pattas, are on the banks of the tanks, the concerned authorities have to ensure that the letting in of the sewage and sullage water is blocked and clean up the inlet channels to the tank.

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5. The above referred tank is situated in Re-Survey No.291/1. So, in this regard, let the personal inspection be done by the 2<sup>nd</sup> respondent/Sub Collector or the Revenue Divisional Officer. During the inspection, if any such outfall of sewage and sullage is identified, let him also take action and file an action taken report.

6. Post the matter on 28.04.2023.

Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.125/2021(SZ) &  
I.A. No.174/2022(SZ) &  
I.A. No.18/2023(SZ)  
28<sup>th</sup> March 2023. Mn.

Item No.07:

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

*(Through Video Conference)*

Original Application No. 125 of 2021(SZ) &  
I.A. No.174 of 2022 (SZ)

**IN THE MATTER OF:**

R. Balakrishnan, Cuddalore

...Applicant(s)

The District Collector,  
Cuddalore and Ors.

...Respondent(s)

Date of hearing: 13.12.2022

**CORAM:**

**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER  
HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s):       None.

For Respondent(s):     Dr. D. Shanmuganathan for R1 to R3, R5 & R8 to R10.  
                                  Ms. Aarthi represented  
                                  Mr. Sai Sathya Jith for R6.

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**ORDER**

1. The District Collector has filed his report dated 01.11.2022. The report gives in detail the names of the water bodies and the type of encroachments and the action taken for evicting.
2. So far as the Cuddalore Municipal Corporation is concerned, for all the listed water bodies (15 Nos.), it appears that encroachments are evicted.
3. So far as the Chidambaram Municipality is concerned, it is stated that the collection system and pumping main of the old UGS are not functioning properly. Hence, the Municipality has decided to implement the new UGS in Chidambaram town. It is also stated that administrative sanction has been granted to the tune of Rs.7562.28 Lakhs as per G.O. (D) No.28/M&WS (MAIII) Dept. dated 27.01.2014. The work was also awarded to M/s. Keyem Engineering Enterprises and M/s. Pure Enviro Engineering Private Limited. The work has been completed and the scheme is put into beneficial use from 28.05.2020 which is being maintained by the TWAD Board. Under the new scheme, 10,000 house service connections also had been given including the old service connections. Since the collection of sewage in the old system was discharged into the open drain at 3 pumping stations, necessary arrangements have been made to interlink the sewerage collected in the old system to the new sewage pumping stations.
4. Further, the sewage overflow in the old UGS system at 16 locations has been plugged to arrest the flow of sewage. The details of the water bodies in which encroachments in Chidambaram

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Municipality were removed were also given in the report. It appears that the evictions have been made from 2019 till July 2022.

5. So far as the Sy. No.129 to an extent of 1.48.0 Hectares in Parameshwara Nallur Village, Chidambaram is concerned, it is mentioned as 'Alangkulam' in A - Register before UDR. The report says that the said survey number has been reclassified as 'Natham Government Poramboke' vide proceedings of the District Collector dated 14.09.2000 and 34 residents were granted patta and all the pattadars had built houses and residing in the said area.

6. The other various Kulams mentioned in the tabular column are treated only as Kulam / water body while the 'Alangkulam' was converted into a Government Poramboke and given patta to the residents. It is not known as to whether the District Collector had got the authority to do such conversion when it is a water body. So, let the report be filed to that effect. Though the report says that encroachments mentioned in the columns were fully evicted, let the same be confirmed by the District Collector in his next report.

7. The status report filed by respondents No.1 & 2 dated 04.08.2021 specifically mentions that the Commissioner - Chidambaram Municipality has taken preventive steps for stopping the discharge of untreated sewage and sullage water into the inlet channel. Out of 19 Kulams situated in Chidambaram Municipality, 18 Kulams are categorized as Sarkar Poramboke which are under the control of the Chidambaram Municipality and only one Elamayakinar Kovil Kulam is under the control of the temple trustee.

8. The tabular column given by the District Collector has not included Periyannakulam - 26 cases, Chinna Anna Kulam - 3 cases and Gorikutai Kulam - 20 cases. The report is silent about the eviction of these encroachments in the above referred Kulams. Let the report given in detail about the eviction of the above referred encroachments on the left out Kulams.
9. The report of the Sub Collector has stated there are 94 cases in Palaman Kulam, whereas in the eviction chart only 69 seem to have been evicted as on 04.04.2022. Let the District Collector report also mention whether subsequently the said encroachments have been removed from the Palaman Kulam.
10. Let the matter be listed on 24.01.2023.



Sd/-  
Smt. Justice Pushpa Sathyanarayana, JM  
Sd/-  
Dr. Satyagopal Korlapati, EM

O.A. No.125/2021 (SZ)  
I.A. No.174/2022 (SZ)  
13<sup>th</sup> December, 2022. Mn.

அனுப்புநர்

திரு.இரா.மோகன்ராஜ்.  
வட்டார வளர்ச்சி அலுவலர்(கி.ஊ),  
ஊராட்சி ஒன்றியம்,  
குமராட்சி.

பெறுநர்

சார் ஆட்சியர்,  
சார் அட்சியர் அலுவலகம்,  
சிதம்பரம்.

ந.க.எண்.ஆ/1323/2021

நாள்.30.05.2023.

ஐயா,

பொருள்: ஆக்கிரமிப்பு அகற்றுதல்- கடலூர் மாவட்டம்- குமராட்சி ஊராட்சி ஒன்றியம் -சி.தண்டேஸ்வரநல்லூர் ஊராட்சி பரமேஸ்வரநல்லூர் கிராம புல எண் 129- ல் ஆலங்குளம் அரசு புறம்போக்கில் ஆக்கிரமிப்புகள் அகற்றும் செய்யப்பட்டது - புகைப்படங்கள் அனுப்பி வைத்தல்- தொடர்பாக.

பார்வை: 1. வட்டாட்சியர், சிதம்பரம் அவர்களின் படிவம் -1 நாள்.20.01.2023  
2. கிராம நிர்வாக அலுவலர், சிதம்பரம் நான் முனிசிபல் கடிதம் நாள்.30.05.2023.

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சிதம்பரம் வட்டம் குமராட்சி ஊராட்சி ஒன்றியத்தை சேர்ந்த சி.தண்டேஸ்வரநல்லூர் ஊராட்சி பரமேஸ்வரநல்லூர் கிராம புல எண் 129-ல் ஆலங்குளம் அரசு புறம்போக்கில் ஆக்கிரமிப்புகள் அகற்றும் செய்யும் பணி முடிக்கப்பட்டு அதற்கான புகைப்படங்களை இத்துடன் இணைத்தனுப்பி வைத்துள்ளேன் என்பதை பணிவுடன் தெரிவித்துக்கொள்கிறேன்.

இணைப்பு : புகைப்படங்கள்.

  
வட்டார வளர்ச்சி அலுவலர் (கி.ஊ), 30/5/23  
குமராட்சி.

  
30/05/23

அனுப்புநர்

பெறுநர்

திரு.கோ.செல்வகுமார், பி.எஸ்.ஸி.,  
வட்டாட்சியர்,  
சிதம்பரம்.

உதவி ஆட்சியர்,  
சிதம்பரம்.

அம்மையீர்,

ந.க.அ1/1654/2018, நாள்: 02/06/2023

பொருள் தேசிய பசுமை தீர்ப்பாயம் - நீர் நிலைகள் ஆக்கிரமிப்பு - சிதம்பரம் நகரம் மற்றும் அதனை சுற்றியுள்ள நீர்நிலைகள் ஆக்கிரமிப்பு - பெரும்பாலான நீர்நிலைகள் ஆக்கிரமிப்பு அகற்றப்பட்டது - தேசிய பசுமை தீர்ப்பாய வழக்கு எண். 125/2021 (SN), நாள்: 13.12.2022 ன் படி - சிதம்பரம் வட்டம் - பரமேஸ்வரநல்லூர் கிராமம் புல எண்.129/9-ல் உள்ள ஆலங்குளத்தில் உள்ள ஆக்கிரமிப்புகளை அகற்றப்பட்டது - அறிக்கை அனுப்புதல் - தொடர்பாக.

- பார்வை 1 தேசிய பசுமை தீர்ப்பாய மனு எண். 125/2021 (SZ) & I.A No.174 of 2022 (SZ) நாள்: 11.06.2021
- 2 இவ்வலுவலக கடித எண்.அ1/1654/2018, நாள்: 20.01.2023.
- 3 வட்டார வளர்ச்சி அலுவலர் (கி.ஊ) குமராட்சி கடித எண்.ந.க.எண்.ஆ1/1323/2021, நாள்: 30.05.2023.

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பார்வையில் காணும் கடிதங்களின் மீது தங்களின் கனிவான கவனம் கொணர விழைகிறேன்.

பார்வை 1-ல் காணும் தேசிய பசுமை தீர்ப்பாய மனு எண். 125/2021 (SZ) நாள்: 11.06.2021 ன்படி சிதம்பரம் நகரம் மற்றும் அதனை சுற்றியுள்ள நீர்நிலைகள் (குளங்கள்) உள்ள ஆக்கிரமிப்புகளை அகற்ற கோரி திரு.ஆர்.பாலகிருஷ்ணன் என்பவர் தேசிய பசுமை தீர்ப்பாய மன்றத்தில் வழக்கு தொடர்ந்துள்ளார்.

அதன்படி, சிதம்பரம் வட்டம், பரமேஸ்வரநல்லூர் கிராமம், புல எண்.129/9 ல் உள்ள ஆலங்குளத்தை அளவீடு செய்யப்பட்டத்தில், மேற்படி குளத்தில் 5 நபர்கள் ஆக்கிரமிப்புகள் உள்ளன என கண்டறியப்பட்டுள்ளது. மேற்படி ஆக்கிரமிப்புகளை அகற்ற படிவம் -I தயார் செய்து குமராட்சி வட்டார வளர்ச்சி அலுவலர் (கி.ஊ) அவர்களுக்கு பார்வை-2ல் காணும் இவ்வலுவலக கடிதம் மூலம் அனுப்பி வைக்கப்பட்டுள்ளது.

பார்வை-3 காணும் குமராட்சி வட்டார வளர்ச்சி அலுவலர் கடிதத்தில் சிதம்பரம் வட்டம், குமராட்சி ஊராட்சி ஒன்றியம், சி.தண்டேஸ்வரநல்லூர் ஊராட்சி, பரமேஸ்வரநல்லூர் கிராம புல எண்.129-ல் ஆலங்குளம் அரசு புறம்போக்கில் உள்ள ஆக்கிரமிப்புகளை 24.04.2023 அன்று முற்றிலும் அகற்றப்பட்டு அதற்கான புகைப்படங்கள் சமர்ப்பித்துள்ளார்.



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Survey No: 129/9 - Pond



16

Survey No: 129/a - Pond



(17)

Survey No: 129/9 - Pond.



18  
Survey No: 129/9 - Outlet



(19)  
Survey No: 129/a - Pond  
Inlet



Survey No: 129/19 - Pond Eviction Process- <sup>20</sup>



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
Parameswaranallur  
Tamil Nadu  
India  
2023-04-24(Mon) 11:27(AM)  
33°C  
91°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
Parameswaranallur  
Tamil Nadu  
India  
2023-04-24(Mon) 11:44(AM)  
33°C  
91°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
Parameswaranallur  
Tamil Nadu  
India  
2023-04-24(Mon) 11:28(AM)  
33°C  
91°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India

Parameswaranallur  
Tamil Nadu  
India

2023-04-24(Mon) 11:30(AM)

33°C

91°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India

Parameswaranallur  
Tamil Nadu  
India

2023-04-24(Mon) 12:25(PM)

34°C

93°F



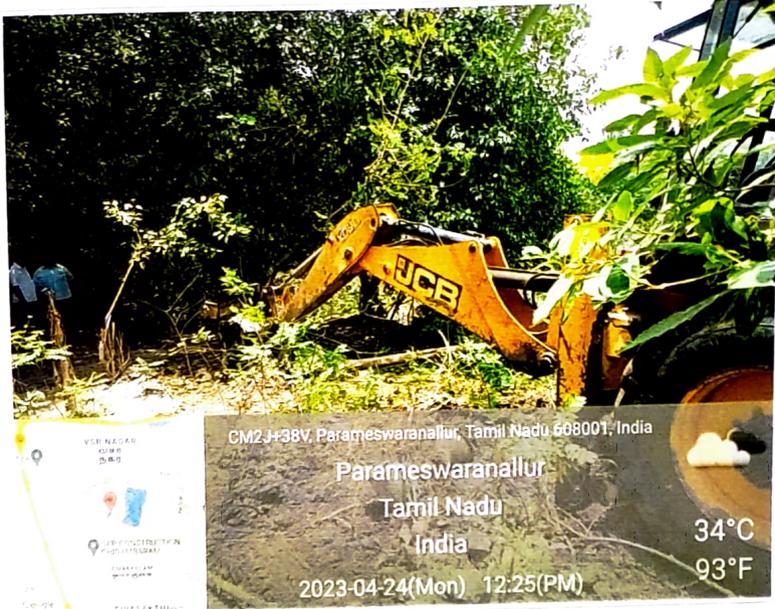
CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India

Parameswaranallur  
Tamil Nadu  
India

2023-04-24(Mon) 11:44(AM)

33°C

91°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
 Parameswaranallur  
 Tamil Nadu  
 India  
 2023-04-24(Mon) 12:25(PM)

34°C  
 93°F



CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
 Parameswaranallur  
 Tamil Nadu  
 India  
 2023-04-24(Mon) 11:33(AM)

33°C  
 91°F




9MXH+32, Chidambaram, Tamil Nadu 608001, India  
 Chidambaram  
 Tamil Nadu  
 India  
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 33°C  
 91°F




CM2J+38V, Parameswaranallur, Tamil Nadu 608001, India  
 Parameswaranallur  
 Tamil Nadu  
 India  
 2023-04-24(Mon) 12:30(PM)  
 34°C  
 93°F

24

