

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ),
SOUTHERN ZONE AT CHENNAI**

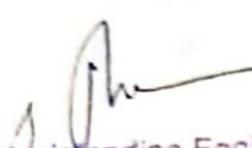
Application No. 187 of 2015 (SZ)

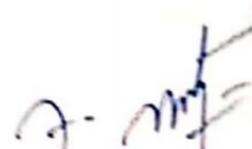
J.Jayaveeran ,
S/o P.V.Janardhanan,
93,Trunk Road,
Porur,
Chennai - 600016

.... Applicant/Appellant

Versus

1. The Secretary to Government,
Public Works Department,
Fort St.George,
Chennai-600 009.
2. The Chief Engineer,
Water Resources and Department,
State Ground Water and Surface Water Resources.
Taramani, Chennai-600 113.
3. The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai-600 009.
4. The Managing Trustee,
Sri Ramachandra Educational and Charitable Trust,
No.25, Sir C.V. Raman Road,
Alwarpet,
Chennai -600 018
5. Sri Ramachandra Medical College and
Research Institute
Deemed University rep. By its Dean,
Porur, Chennai 600 116.
6. District Environment Officer,
Tamil Nadu State Pollution Control Board,
No. 77 A, Paadi, Ambathur Industrial Estate Road,
Mogappair, Chennai-58.
7. The District Collector,
No.62, Fourth Floor, Singaravelan Maligai,
Rajaji salai, Chennai 600 001.


Deputy Superintending Engineer, P.W.D.,
Palar Basin Circle, WRD,
Chepauk, Chennai-600 005.


Superintending Engineer, W.R.D.,
Palar Basin Circle,
Chepauk, Chennai-600 005.

8. The District Collector,
Cheyyar-Kancheepuram road, Gandhi nagar,
Thayar kulam, Kancheepuram 631 501.
9. The District Collector,
1st Floor, Collectorate,
Thiruvallur 602 001.
10. The Commissioner,
Greater Chennai City Corporation,
Rippon Building, Chennai.
11. The Chairman / Managing Director,
Chennai Metro Water Supply and Sewage Board,
Chinthadripet, Chennai.
12. The Member Secretary,
Chennai Metropolitan and Development Authority,
Egmore, Chennai.
Chennai Metro Water Supply and Sewage Board,
13. The Chennai Commissioner of Land Administration,
2nd Floor, Ezhilagam,
Chepauk, Chennai 600 005.

.... Respondents

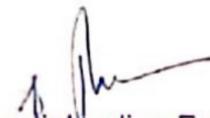
STATUS REPORT FILED ON BEHALF OF THE 2nd RESPONDENT

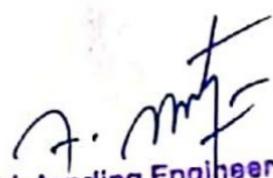
I, A.Muthaiya, son of Mr. A.L. Asokan aged about 55 years, officiating as Superintending Engineer, Public Works Department, Water Resources Department, Palar Basin Circle, Chennai -05 do, solemnly affirm and sincerely state as follows:

2. I am the superintending Engineer, Water Resources Department of the Public Works Department, Palar Basin Circle, Chepauk, Chennai, file the status report on behalf of the 2nd respondent herein and I am well acquainted with the facts of the case from records.

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Deputy Superintending Engineer, PWL,
Palar Basin Circle, WRD.,
Chepauk, Chennai-600 005.


Superintending Engineer, W.R.D.,
Palar Basin Circle,
Chepauk, Chennai-600 005.

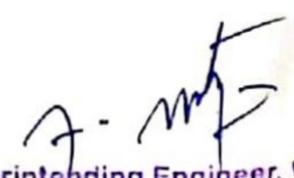
3. It is submitted that, the applicant mentioned in his affidavit that originally the Porur Tank was having an extent of 330 Acres comprised in Porur Village, Karambakkam Village, Chettiyar Agaram, Vanagaram Village, Thundalam Village of Tiruvallur District and Thelliyar Agaram Village, Iyyappan Thangal Village of Kanchipuram District. I respectfully submit that the Porur Tank is originally in the survey field No.370(Part) of Porur Village and S.F.No.138 of Thelliyagaram village. As per the revenue record the above 2 survey field numbers are the Porur tank. The extent of Porur tank in Porur S.F.No 370(Part) is 61.62.5 Ha., and the extent of Porur tank in Thelliyagaram village S.F.No. 138 is 14.11.5 Ha. The total extent (75.74 Ha.) comes around 187 Acres. It is further submitted that the Karambakkam Eri in S.F.No. 151/ 1(Part) having an extent of 8.49.00 ha. lies in the upstream of Porur tank which seems to be a portion of Porur tank. Hence the Porur and Karambakkam tanks are locally named as Porur Rettei Eri. The total extent of rettai Eri comes (84.23 Ha.) around 208 Acres.

4. It is submitted that, the S.F.No.152 of Karambakkam Village is the only adjacent field number lies near the Karambakkam tank in S.F.No 151/1(Part). The copy of "A" register shows that the S.F.No.152 of Karambakkam Village classified as Eri Mulukadai land in the name of Mr.Jhon Adam which was subsequently in the name of Ramachandra Educational and Health Trust through the above said Government order. It is submitted that the S.F.No.152 of Karambakkam Village is no way connected with the poramboke lands of Porur tank as mentioned by the Petitioner. The Petitioner wrongly interpret the Government Order in

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G.O.Ms.567 (Revenue Department) dated 20.06.1995 and mentioned in his petition that all the lands in the villages in the Government Order are belongs to Porur Tank. It is pertinent to state that there is no land belongs to Porur tank in the villages Thundalam, Vanagaram, Chettiyaragaram and Iyyappanthangal and the villages are far away from the Porur tank.

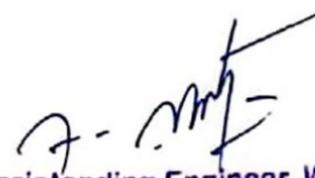
5. It is submitted that, as far as Porur Tank concern the details of encroachments have been translated in English as instructed by the Hon'ble Tribunal, and submitted vide typed set. As per the orders of the High Court of Madras in W.P. No.36135/2015, the list of encroachments was listed after conducting detailed survey by the Revenue Department. In the meanwhile some of the encroachers approached the Hon'ble Madras High court in WP.Nos.32807 of 2018 and batches. All the 46 cases were dismissed by the Hon'ble court on 13.12.2018 and quashed the Form-III notice issued by the Public Works Department under **"Tamil Nadu Protection of Tanks and Eviction of Encroachment Act, 2007 (Tamil Nadu Act 8 of 2007)"**.

6. It is submitted that, the Hon'ble court further directed to issue Form-II notice prior to the notice being issued under Form-III. Hence, the list of encroachments in Porur tank was listed again after conducting detailed survey by the Revenue Department. The Form -II and Form-III notices were issued for 162 encroachers by abiding due process of law. All the legal procedures were duly followed while issuing the notices. Since the pandemic situation prevails and the assembly election work is in progress the eviction process is struck down. The encroachments will be evicted with the co-ordination of Revenue and Police Department soon after the situation improves.

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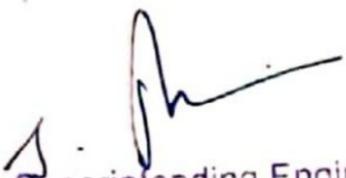
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Palar Basin Circle,
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It is therefore prayed that, this Hon'ble Tribunal may be pleased to dismiss the application and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 29th day of March, 2021.



Deputy Superintending Engineer, PWD.,
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