

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

**Original Application No. 191 of 2021**

In the matter of

S. Sekar,  
S/o. (Late) Mr. P. SuyambuNadar,  
No- 3, Venkateswara Nagar,  
Kishkintha Main Road, Tambaram (West),  
Chennai – 600045.  
Email id – [gokulkrish.law@gmail.com](mailto:gokulkrish.law@gmail.com)  
Phone Number – 9677180414

...Applicant

And

1. The Secretary,  
Ministry of Agriculture & Farmers,  
Welfare, Govt. of India,  
KrishiBhawan,  
Rajendra Prasad Road,  
New Delhi – 110001.  
Email ID : [secy-agri@nic.in](mailto:secy-agri@nic.in)  
Phone No. 011- 23382651

2. The Chief Secretary / Chairperson,  
Tamil Nadu Wetland Authority and Chief Wildlife Warden,  
Govt. of Tamil Nadu, Fort St. George,  
Fort, Chennai – 600009, Tamil Nadu,  
Email ID : [cwiw-wildlife3@yahoo.in](mailto:cwiw-wildlife3@yahoo.in)  
Phone No. 044-25671556

3. The Revenue Secretary,  
Tamil Nadu Revenue Department,  
Govt. of Tamil Nadu, Fort St. George,  
Fort, Chennai- 600009, Tamil Nadu.  
Email ID : [mawssec@tn.gov.in](mailto:mawssec@tn.gov.in)  
Phone No. 044-25671556

4. The Secretary,  
Tamil Nadu Agricultural Department,  
Govt. of Tamil Nadu, Fort St. George,  
Fort, Chennai – 600009, Tamil Nadu.  
Email ID : [agrisec@tn.gov.in](mailto:agrisec@tn.gov.in)  
Phone No. 044-25674482

*Arachandran*



dated 24.11.2021, is said to have been filed, the contents of which has been extracted by this Tribunal in para-5 of the said order. It is evident from the extract of the order that, vide proceedings in RC.No. 16290/2021/B3 dated 20.10.2021, a committee consisting of i) The District Forest Officer, Kancheepuram, Nodal Officer, ii) Revenue Divisional Officer, Sriperumbudur, iii) Senior Officer, TNPCB/EE, TNPCB, Sriperumbudur at Padapai, iv) Assistant Director, Survey, Kancheepuram, v) Tahsildar, Kundrathur as Joint Committee Members. In the report it is stated that, the said committee had inspected the layout on 22.10.2021 in Survey No. 441, 442, 443, 445, 446, 448, 460 & 469 of Ezhichur Village, Sriperumbudur taluk, Kancheepuram District.

2. I humbly submit that, the above committee in its report has made certain observations regarding three questions which had been specifically assigned by this Tribunal. Firstly, whether any work is being done by the party respondent without obtaining necessary permission from the authorities, to which the committee in its report states that, necessary permission has been accorded for the formation of layout by the i) The Director, Town and Country Planning Chennai vide R.C.No. 10982/2019/TCP-5 dated 10.09.2019, ii) The Regional Deputy Director, Town and Country Planning, Chengalpattu, vide R.C.No. 3401/19 (CPT-3) dated 03.10.2019, iii) The Special Officer/Block Development Officer (Village Panchayat V.P) Ezhichur vide R.C.No. 7298/2019/B1 dated 17.10.2019, iv) Technical approval Map for the proposed layout No.

*Arshamudhan*

11/2019, v) No Objection Certificate for the proposed layout issued by District Forest Officer, Chengalpattu Division, Kancheepuram vide Proc. No. 3592/12/D dated 15.06.2012. Secondly, Whether any diversion or filling up of water channel flowing through the property leading to the Forest has been blocked, to which the committee in its report states that, as per the village map of Ezhichur, a water channel from the Vadakkupattu Reserved Forest coming out of the Reserved Forest near Forest boundary stone No. 38 and enters into the Survey No. 445 and passes through Survey No. 442 of the proposed layout and crosses Survey Nos. 441,438,437 (outside the proposed layout) and again enters Survey No. 460 of the proposed layout and finally drains into Ezhichur Lake. But in the field there is no trace of this water channel. The water from the Vadakkupattu Reserved Forest Flows out from the Forest near Forest boundary stone No. 38 and flows in the proposed layout as surface run off due to the absence of the above channel to reach the Ezhichur Lake. Moreover there is a small pond located in the Survey No. 444 which is totally located outside the boundary of the proposed layout and also now, its available as a shallow depression. Thirdly, is there any damage caused to the environment on account of the same and if so, what is the nature of remedial measures to be taken to restore the same, apart from assessing environmental compensation payable, to which the committee in its report states that, due to the absence of drainage channel from the boundary of the Forest area to the Ezhichur Lake, the free flow of rain water is obstructed. Generally prolonged stagnation of water in

*Arachumalankam*

particular area will create adverse soil condition. Hence, the proper drainage of rain water to be ensured.

3. I humbly submit that, from the report three things are crystal clear, firstly, necessary permission from the concerned authorities has been obtained for formation of layout, secondly there is no trace of water channel in the layout as opposed to the one shown in the Village Map of Ezhichur, thirdly there is no damage caused to the environment on account of such absence of water channel.
4. I humbly submit that, since it has come down to identifying of a water channel based solely on Village Map of Ezhichur, which was published prior to 1960, at the time of inception of Settlement Register, as opposed to the other records which are held with the authorities such as FMB sketch, 'A' register extract, patta, etc., which are obviously in my favour, in which no mention of such water channel is mentioned to have been ever in existence since the day of purchase by the land owners, eventhough not accepting any of the allegations that are leveled against me and the land owners but with only intention to buy peace and put a quietus to the matter, I intend to lay water trench in the west side of the public road, which has been gifted to the Local Authorities, specifically in the blue shaded portion marked in the plan approved by DTCP for the layout named "Sri Vari Nagar", which is enclosed along with this additional counter filed by me, as a means to drain the water flowing from the Vadakkupattu Reserved Forest area, at our own cost. This Tribunal may appoint any authority as it may deem fit to supervise the work of laying trench till its completion so as to provide satisfaction. We ensure

*Arohaunahand*

that in future also, the flow of water course present in the Village map and which runs in the layout are in S.No. 442, 445 and 460, will not be obstructed in any manner. As regards the Survey Nos. 441, 438, 437 in which the water course runs are outside the layout and we do not take any responsibility over that. We pray a time limit of three months to complete the process of erecting trench on the side of the public road which has been earmarked in the layout plan attached to this additional counter.

It is therefore prayed that this tribunal may be pleased to dismiss the application with costs and pass such further or other orders as it may deem fit in the circumstances of the case and thus render justice.

*Arachandhanand*

Solemnly affirmed at Chennai on this  
the 19<sup>th</sup> day of December 2021  
and signed his name in my presence

Before me

*M. Mohan*  
MS/1663/21  
Advocate, Chennai

# SRI VARI NAGAR

PLAN SHOWING THE APPROVED LAYOUT OF HOUSE SITES IN S.F.NO: 441/1,2, 442/1A,2A,2B,3A,3B,4A,4B,4C, 443/1A,1B,2A,2B,3A,3B,1,3B2, 445/1A,1B,2,3,4A,1B,2,4B, 446/1A,1B,2, 448/2, 449/1A,1A,2,1B,2, 460/2A1,2A2A,2A2B,2A2C1,2A2C2,2A2D1,2A2D2,2A2D3,2B, 469A/3B1,3B2,4B1,4B2 OF EZHICHUR VILLAGE AND PANCHAYAT, SRIPERUMBUDUR TALUK, KANCHEEPURAM DISTRICT.

DTCP APPROVED NO : L.P./D.T.C.P. NO : 11 / 2019

REFERENCE - ELICHUR SITE  
TOTAL SITE AREA = 60.03 acre - 242930.77 sqm.

Sl.No.	Description	Area - Sqm.	Area - Sqft.
1	Total Project Area	242930.77	2614907
2	Total OSR Area	24682.42	265682
3	Total Road Area	68742.95	739949
4	Total Saleable Plot Area	136273.12	1465844
5	Total Commercial Plot Area	12127.80	130544
<b>TOTAL</b>		<b>241826.29</b>	<b>2603018</b>



Government Land

Ezhihur Lake

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Welfare, Govt. of India,  
and others

**ADDITIONAL COUNTER AFFIDAVIT  
FILED BY THE 7<sup>th</sup> RESPONDENT**

**M/S.**

**S.SENTHIL – 1050/98  
R.ANBUKARASU – 1025/98  
J.KARUPPIAH – 733/2000  
D.VAIRAMOORTHY – 463/01  
M.PREM KUMAR – 332/17  
R.VIVEK – 2365/18  
K.GOKUL – 1462/21**

**Counsel for 7<sup>th</sup> Respondent**

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