

## OA : 192 of 2020

### **“Save Chitlapakkam lake and replicate project for other waterbodies : Court”**



News Item in The Times of India newspaper, Chennai Edition dated 24th October 2021

**CHENNAI:** The Madras high court directed the state government to consider revival of Chitlapakkam lake as a pilot project and follow the same measures to deal with encroachments in larger waterbodies across the state.

“It is imperative that in a state which does not have any perennial flowing water, the waterbodies and the channels of seasonal flowing water are left undisturbed, if only to ensure the future survival of the human race in this part of the world,” the first bench of Chief Justice Sanjib Banerjee and Justice P D Audikesavalu said. When the plea came up for hearing, the state submitted that as far as the Chitlapakkam lake is concerned, 403 encroachers have been identified and steps have been initiated against them by issuing notices.

Referring to claims made by some encroachers that they have been dwelling in the land for over 50 years, the court said: "What is of importance is that the occupants must be able to assert their right on the basis of documents of title. If there are no documents of title, the respective claims can scarcely be accepted." At the same time, even if it is accepted that the occupants are rank trespassers who have willy-nilly settled into the edges of the waterbody, it is for the state to formulate a scheme for their rehabilitation. The waterbody has to be saved, the bench said.

"The encroachers have to be removed. It would do well for the state to formulate a scheme under which the encroachers at the Chitlapakkam lake may be temporarily accommodated at some place while permanent dwellings are prepared on a long-term basis," the court said. However, the bench made it clear that only long-term occupants may avail of this advantage, those of the encroachers who have come in recently may not be immediately entitled to be rehabilitated. As a first step, all further attempts at encroachment should be dealt with in a strict manner by the state keeping a constant vigil, the court added and adjourned the hearing to November 26.