

I.A No: 108 of 2021

Original Application No. of 2021

**IN THE MATTER OF:**

V.Murugesan,  
S/o Vaithilingam,  
Thittakkudi,  
Pattukkottai Taluk  
Thanjavur District

.....Petitioner.

-Vs-

1. The District Collector  
Thanjavur collectorate office  
Thanjavur
2. The Revenue Division Officer,  
Pattukkottai
3. The Tahsildar  
Pattukkottai.
4. The Executive Engineer, PWD/WRD  
Grand Anicut Canal Division  
Thanjavur.
5. The Assistant Executive Engineer, PWD/WRD  
Grand Anicut Canal Sub Division No:3  
Pattukkottai.

.....Respondent(s).

**REPORT FILED BY THE EXECUTIVE ENGINEER, GRAND  
ANICUT CANAL DIVISION, THANJAVUR**

I, R.Pandy, S/o.S.K.Rajendran, aged about 57 years working as Executive Engineer, PWD,WRD, Grand Anicut Canal Division, Thanjavur do hereby solemnly affirm and sincerely state as follows:-

I submit that the report on the direction of the Honourable National Green Tribunal in I.A No 108 of 2021 dated 09.08.2021

  
Executive Engineer, PWD,WRD,  
Grand Anicut Canal Division, Thanjavur.

It is submitted that Soorapallam Big Tank is located at Soorapallam village of Pattukottai Taluk in Thanjavur District is being maintained by the Grand Anicut Canal Division, WRD, Thanjavur. This tank receives supply from Nasuviniyar of main jungle river to a length of 2.40 Km with an average bed width of 4m and Ayacut of 168.54 AC. This Soorapallam Tank supply channel with silted up length of 1.70 Km was taken up under special desilting plan scheme 2021-2022 with an Estimated Amount of Rs. 1.50 Lakhs. Tendering process are completed on 25.05.2021 and Agreement date was 26.05.2021 and work is handed over to Contractor Thiru P.Sankar On 26.05.2021.

It is submitted that based on the estimate and Fund allotment, aforesaid silted up supply channel with vegetation to a length of 1.70Km and average width of 4m which was hindering to the free flow of water to irrigation was desilted(dredged) to a length of 1.70 Km and average width of 4m from LS 0 to 1700 m. The work started on 29.05.2021 and completed on 30.06.2021. The above mentioned PWD Soorapallam supply channel is partly encroached by applicant for a length of 265 m for many years. At this juncture, Thiru.M.Senthilkumar, the owner of adjacent land to the petitioner complained on 27.04.2021 that the applicant encroached the part of above said PWD land supply channel (S.F.No.172/3, S.F.No.255/3) for many years for his own use, that same was to be evicted which affect the flow of water to irrigation and also stated that the supply channel has been rerouted in his own patta lands instead of its original natural flow in PWD land for many years and same has to be reclaimed

It is submitted that there is a dispute between both adjacent land pattatharars, Thiru V.Murugesan and Thiru.M.SenthilKumar for many years. Thiru M.Senthilkumar given complaint against the petitioner that the above said PWD supply channel flows to soorapallam periya eri encroached his patta land and evict the encroachment and above the PWD supply channel leads to Soorapallam Tank is to be realigned to its original natural flow as the supply channel natural flow path is diverted for many years in his land. The same representation is given to the Sub Collector, Pattukottai and Executive Engineer, Grand Anicut canal Division, Thanjavur by Thiru M.Senthilkumar. (Ref FMB sketch)

  
Executive Engineer  
Grand Anicut Canal Division, Thanjavur.

It is submitted that based on Thiru M.Senthilkumar requisition, the land SF No 172/2D,2E,3 and SF No. 255/2D,3 surveyed by the Surveyor, Pattukottai in the presence of PWD official and Boundaries were fixed and survey stones were laid in the aforesaid SF Nos on 09.09.2020. Then the applicant was removed the survey stones in the above said land areas illegally that was also complained to PWD Section officer, Pattukottai Town and Sub inspector, Police Department, Pattukottai on 21.09.2020 by Thiru. M.Senthilkumar to take action against the applicant and remove the encroachments that encroached by the applicant in the PWD Supply Channel from Nasuviniyaru to Soorapallam Big tank since his livelihood is severely affected.

It is submitted that based on Thiru M.Senthilkumar requestion, the above said lands were resurveyed and Boundary stones were re-laid to his land and PWD land and then the encroachment in PWD lands by the applicant Thiru V.Murugesan is evicted by PWD, with the help of Revenue and Police Department on 24.07.2021. It is also stated that encroached PWD supply channel land is barren land and there are no trees and no agriculture activities are carried out.

It is submitted that only the area Encroached by the applicant is evicted for the newly formed channel area to restore the original course of the channel. Based on the farmers representation, water is flowing in the old channel without affecting irrigation and agricultural activities of farmers. The newly renovated channel (encroachment evicted channel) will be used for irrigation after completion of channel bank strengthening works.

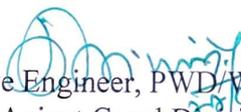
It is submitted that the existing silted up supply channel is desilted instead of rerouted supply channel, which will not be cause any irreparable damages to the adjacent irrigation patta land of the Applicant.

It is submitted that there is no need to remove the newly evicted and renovated supply channel as per FMB. It is also submitted that the desilted existing channel will not affect the adjacent patta lands of applicant in any way. It is also submitted that the channel desilting work executed under Plan scheme desilting 2021-2022 and the

Encroachment eviction of 265 meters of channel are independent works and either of the two works are not related to one other.

It is submitted that the desilting work was carried out in the dispute land and hence there is no irreparable damages to the water deposits and meandering formed by the river. It is also submitted that there will be no possibilities of inundation during monsoon in the adjacent lands of the channels.

It is also submitted that there are no possibilities of change in environment, no works were done except desilting of the supply channel and restoration of the original course of the channel. Thus, there will not any severe hardship and irreparable loss to the applicant's patta land and people of the village in future.

  
Executive Engineer, PWD/WRD,  
Grand Anicut Canal Division,  
Thanjavur.

Solemnly affirmed at  
This the day of August 2021  
Signed his name in my presence.

**BEFORE ME.**

Page No. 4 & Last Page.4  
No. of Corrnns.