

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

Application No. 187 of 2015 (SZ)

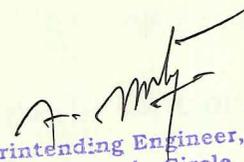
J.Jayaveeran ,
S/o P.V.Janardhanan,
93,Trunk Road,
Porur,
Chennai - 600016

.... 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.


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

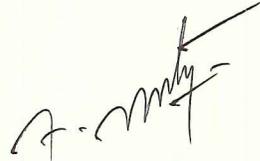

Superintending Engineer, WRD,
Palar Basin Circle,
Chepauk, Chennai-5.

7. The District Collector,
No.62, Fourth Floor, Singaravelan Maligai,
Rajaji salai, Chennai 600 001.
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.
13. Chennai Metro Water Supply and Sewage Board,
The Chennai Commissioner of Land Administration,
2nd Floor, Ezhilagam,
Chepauk, Chennai 600 005. Respondents

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Deputy Superintending Engineer, PWD.,
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Chepauk, Chennai-600 005.


Superintending Engineer, WRD,
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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.

3. It is submitted that, the extent of Porur lake as per original revenue records is as follows: -

S.No.	Name of Village	Survey .No	Extent in Ha	Classification
1	Karambakkam in Chennai District	151	8.49.0	Karampakkam Eri
2	Porur in Chennai District	370/1	61.62.5	Eri ulvaai
		357/4	0.11.5	Eri karai
		359/11	0.13.0	Eri karai
3	Thelliagaram in Kancheepuram District	138/7	14.11.5	Eri
4	Moulivakkam in Kancheepuram District	2	3.99.5	Eri
		3	0.62.5	Eri karai
		4	1.81.5	Eri karai
		5	1.05.0	Eri karai
		7/8	0.31.0	Eri karai
5	Koluthuvancheri in Kancheepuram District	165	0.57.00	Eri Ulvoi
Total			92.84.0	(or) 229.32Ac

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4. It is submitted that, as per the orders of the Hon'ble NGT, the District Collector Chennai and Kancheepuram were requested to give the records pertaining to Porur Tank area prior to 1950. The available records in the collectorate will be obtained and submitted shortly to confirm the above area. The memoir available with the Public Works Department / Water Resourced Department does not reveal the extent of Porur Lake. The copy of memoir is annexed in the typed set.

5. It is submitted that the number of encroachments in Porur Lake is as follows:

S. No.	Name of Village	Survey No	No of Encroachments	Extent in Ha	Classification	Remarks
1	Karambakkam in Chennai District	151	42	0.38.65	Eri	25 Houses, 11 Shops, 2 Temple, 3 Tar roads
2	Porur in Chennai District	370/1	39	0.64.5	Eri ulvaai	18 Houses, 1 Temple, 1 Church & 33 Others
		359/11	1		Eri karai	
		357/4	13		Eri karai	
3	Moulivakkam in Kancheepuram District	5	16	0.80.00	Eri ulvaai	16 Houses
		7/8	10	0.14.50	Eri karai	10 Houses
Total 121 Nos				1.97.65 Ha. (or) 4.88 AC		

6. It is submitted that, the S.F.No.152 of Karambakkam Village is the only adjacent field number lies near the Porur tank in S.F.No 151. 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.

7. It is submitted that the S.F.No.150 of Karambakkam Village is no way connected with the poramboke lands of Porur tank. It is a

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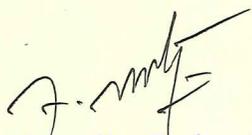
separate water body beyond the Porur tank. It is also submitted that the water body in S.F.No.150 of Karambakkam Village is not maintained by the Public Works Department and it was originally maintained by local body i.e., Rural Development department. The lands pertaining to Porur tanks are only the lands tabulated in the para 3 of this report. The Petitioner wrongly interpret the Government Order in 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.

8. It is submitted that, 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)"*.

9. It is submitted that, the enumeration has to be done using bio metric system in co-ordination with the Greater Chennai Corporation, Revenue Department and Tamil Nadu Slum Clearance Board. During the enumeration process only, the nature of encroachment, extent and all the details will be recorded. The Tamil Nadu Slum Clearance Board has to allocate the houses for the resettlement. The resettlement of encroachers

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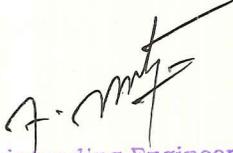

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has to be done before evict the encroachments. Since, the pandemic situation prevails this process will take another six months. After following the above procedures, the Public Works Department will evict the encroachments at once.

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 04th day of August, 2021.


Deputy Superintending Engineer, PWD.,
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Chepauk, Chennai-600 005.


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Application No.187 of 2015(SZ)**

J. Jayaveeran, Applicant

VERSUS

The Secretary to Government,
Public Works Department & others.

.. Respondents

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GOVERNMENT PLEADER

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