

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE CHENNAI**  
**ORIGINAL APPLICATION No. 238 OF 2020 (SZ)**

**IN THE MATTER OF:**

Tribunal on its own motion  
Suo Motu based on the news item in  
The Times of India Newspaper, Chennai Edition  
Dt. 29.10.2020, "Wall of gated community blocks Stream along OMR"  
...Applicant(s)

-Versus-

1. Engineer in Chief (Water Resources Organization)  
and Chief Engineer (General) Public Works Department  
Chepauk, Chennai-600 005
2. The District Collector  
Chengalpet District  
Collectorate Office, GST Road  
Chengalpattu-603 001
3. The Block Development Officer  
St. Thomas Mount Panchayat Union  
20, Chitlapakkam Main Road  
Kamaraj Colony, Nehru Nagar  
Chitlapakkam, Chennai-600 064

...Respondent(s)

**REPORT FILED BY THE WATER RESOURCES DEPARTMENT**

I am the Superintending Engineer, WRD, Palar Basin Circle, Chennai having my office at PWD campus, Chepauk, Chennai-5 and I am filing this report pertaining to Water Resources Department pursuant to the orders of this Hon'ble Tribunal dated 09.03.2022

2. The above case has been *suo motu* registered by this Hon'ble Tribunal on the basis of the newspaper report published in The Time of India, Chennai Edition dated 29.10.2020 under the caption "Wall of gated community blocks stream along OMR" and thereby flood is being experienced during rainy seasons in certain areas.

3. It is also stated that this Hon'ble Tribunal further directed the Joint Committee to file report as to how the situation is being remediated while constructions have been permitted in that area and if there is possibility of flood during heavy rains in that area, what are the measures that they are going to take to avoid the same on account of such conversion or construction of the wall by the private parties for blocking the entire flow of water without provision of any outlet for the same. They have also not answered the question as to whether flood is likely to be caused in that area, during rainy season and if yes, what is the methodology provided for remedying the situation in future as well, especially when there are certain allegations made to that effect in the newspaper report.

4. It is stated that it is for the authority concerned with the plan approval to the buildings in the locality to look into the vital issues before according permission and that the Water Resources Department has no locus to interfere in construction of compound wall blocking the drainage source of these two groups of tanks. Nor, the Water Resources Department could issue any notice to the private concern since the compound wall was constructed within the

patta land which is blocked by Private pattathars by construction of compound wall which was flashed in the news item.

5. As per the Revenue record there is no Continuous water coarse from S.F.no.109 of Karanai Village which is behind the DLF Garden City. They have provided a Cut & Cover from Middle of their land instead of the missing link from Sf.10 of Karanai Village. Topographically, Surplus flood water is spread over to the patta land and confluence into the south part of the Pallikaranai marsh land. Hence, the Water Resources Department insisted to form a 7m Channel on DLF Garden City and adjacent pattadhars along the Compound Wall.

6. it is stated that pursuant to the order dated 06.08.2021, the Joint Committee Members constituted by this Hon'ble Tribunal had inspected the impugned site on 26.07.2021 and the report thereon was filed on 31.08.2021 which was taken on files of this Hon'ble Tribunal.

7. It is further stated in this regard that the promoters of the housing colony/plots in S.F.No. 184/1 and other adjoining lands have raised the building and the land in between the two blocks which is classified as '*anatheenam*' was not raised to facilitate draining of the water collected in its own catchment. The disputed site is in the proximity of the Pallikkaranai marsh the portion left out by the promoted while developing the colony/plots is lower than the level of the Pallikkaranai marsh and the rain water collected it its own catchment inundates around the colony.

8. It is stated that the two major channels, namely, Ottiyampakkam odai and Madurappakkam odai and the surplus drainage channels of these two also terminate in the patta land which would indicate that the surplus water during rainy season would remain in the patta lands and would dry up after the rain is abated since the lands were fertile lands long back.

9. The Surplus Courses of Ottiyambakkam Tank and the Madurapakkam Odai, which drain 34 Tanks into South Pallikaranai Swamp confluence at upstream of Semmanchery Tamil Nadu Slum Clearance Board (TNSCB) Tenements and DLF Garden City. Due to natural topography and as per the Revenue Records, there is no defined Flood Carrier Channel from this confluence point to the Swamp. The combined flood discharge of these Channels is 3000 Cusecs approximately. In the instant case, The Developer of DLF Garden City was insisted by Water Resources Department (P.W.D.) has constructed cut and cover in a portion only. All the developers were instructed to construct 7m peripheral drain to connect these Flood drains to Swamp Channel between the Semmanchery and Perumbakkam Slum Clearance Board Tenements. This work was completed in 2014 giving partial flood relief.

10. Notwithstanding the above, the Highways Department has formed a road in the drainage source from Madurappakkam tank via patta lands in S.F.Nos. 228, 297 and 298 of Karanai Village was due to conversion of ayacut lands into housing colony/plots.

11. It is in this regard stated that the flood mitigation works have been formulated in Semmencheri and Sholinganallur area along the Old Mahabalipuram Road (OMR)/Rajiv Gandhi Salai, Madurapakkam odai, Ottiyambakkam Odai & Arasankazhani Odai confluence at DLF/Semmenchery and drains into Pallikaranai Swamp, but due to urbanization, the naturally Missing links Between Madurapakkam, Ottiyambakkam and Arasankalani Odais at DLF, Nookampalayam Slum Clearance Board Apartment have spread flood and causing flooding in Semmenchery, Ottiyambakkam and Perumbakkam areas.

12. Hence, it is stated that the WRD has proposed following list of permanent flood mitigation works to interlink all these Odais in the form of Cut and Cover Drains and providing retaining walls.

13. Linking of Ottiyambakkam and Madurapakkam odai with Arasankazhani odai through five reaches of Cut & Cover drains at a total civil cost of Rupees 96.5 Cr and 68.82 cr, out of which five reaches do not involve any land acquisition and Reach II only requiring Land Acquisition and necessary Land Plan Schedule (LPS) was sent to the District Collector, Chengalpattu for approval) under Comprehensive Flood Mitigation Project which was in turn sent to Government for implementation.

- Reach – I Triple vent cut and Cover for a length of 500m at a cost of Rs.21.70 Crore without any Land acquisition.

- Reach – II Triple vent cut and Cover for a length of 470m at a cost of Rs.26.50 Crore with Land acquisition.
- Reach – III Double vent Cut & Cover for a length of 400m and Cantilever retaining wall on both sides for a length of 600m at a cost of Rs.24.00 Crore without any Land acquisition.
- Reach – IV Cantilever Retaining wall on both sides for a length of 550m and single side for a length of 1050m at a cost of Rs.24.30 Crore without any Land acquisition involved.

For linking with Ottiyampakkam Odai to Pallikaranai swamp

- Reach – I Double vent cut and Cover for a length of 1025m at a cost of Rs.29.00 Crore without any Land acquisition.
- Reach – II Double vent cut and Cover for a length of 1490m at a cost of Rs.39.82 Crore without any Land acquisition

14. All the Developers in these areas were instructed through Chennai Metropolitan Development Authority (CMDA) to provide 7m peripheral flood carrier drain as part of pre-requisite for their Development including the DLF and GTK foundation. The DLF and GTK Foundation have developed the housing apartments and plots, respectively, which are exactly in the portion of land where the surplus water has to drain. The Water Resources Department (Water Resources Department.) has made arrangements for the temporary flood mitigation in the form of temporary Katcha Drains between the Tamil

Nadu Slum Clearance Board (TNSCB) and Private Multistory Buildings Development. As permanent measures, the Water Resources Department (Water Resources Department.) has proposed the following Projects for averting the flooding in the Semmanchery, Perumbakkam and Arasankalani Area:

**Main Work : Providing Emergency Network of Flood carrier Channel between Ottiyambakkam Channel and Madurapakkam Drain to Pallikaranai Swamp in Semmenchery and Perumbakkam Area in Tambaram & Sholinganallur Taluks of Chengalpattu & Chennai Districts with following sub works in slices:** (Rupees in crores)

<b>Reach I</b> - Providing Emergency network of flood carrier Macro drain from Madurapakkam Odai in DLF Campus road at L.S. 0m to L.S.500m in Tambaram Taluk of Chengalpattu District.	21.70
<b>Reach II</b> - Providing Emergency network of flood carrier Macro drain from Madurapakkam Odai in DLF Campus road at L.S. 970m to L.S.m in Sholinganallur Taluk of Chennai District.	26.50
<b>Reach III</b> Construction of Cut and Cover Macro Drain- From Madurapakkam Odai to Existing Channel (Northen Side of DLF) and Construction of Retaining wall on both side of open channel at Northen side of DLF from LS 0m - 600m in Sholinganallur Taluk of Chennai District.	24.00
<b>Reach IV</b> - Construction of Retaining Wall at both side of existing drain in Semmanchery village in Sholinganallur Taluk of Chennai District.	24.30
<b>Total</b>	<b>96.50</b>

## B. For linking with Ottiyampakkam Odai to Pallikaranai swamp

2	<b>Main Name of Work :PROVIDING MACRO DRAIN CUT &amp; COVER FOR MISSING LINK OF OTTIYAMBAKKAM TANK TO ARASANKALANI TANK AND LINK TO PALLIKKARANI SWAMP IN TAMBARAM TALUK O F CHENGALPATTU DISTRICT.</b>	
	<b>Reach I - Construction of Cut &amp; Cover Macro Drain from Arasankalani velanthangal Tank to Swamp in Tambaram Taluk of Chengalpattu District.</b>	29.00
	<b>Reach II - Construction of Cut &amp; Cover Macro Drain from Ottiyambakkam Surplus course Missing link to Arasankalani velanthangal Tank in Tambaram Taluk of Chengalpattu District.</b>	39.82
	<b>Total</b>	<b>68.82</b>

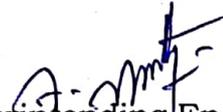
( c) The missing hydraulic link between the Madurapakkam Odai and Ottiyambakkam Surplus Course will be connected to the Pallikkarani Swamp with five sets of network of Cut and Cover Drains for a length of 2970m including Open drains along the

Residential Layout Road. This Project is proposed to be taken up under Long Term Flood Mitigation Project (LTFMP). This proposal requires Land Acquisition for an extent of 0.51.13 Ha (or) 5113 Sq.m, for which the Land Acquisition sent to Government through District Collector, Chengalpattu.

( c) There are no encroachments in the said flood drains, the Compound Walls were constructed in the Patta land which once acted as spread overflow Patta lands.

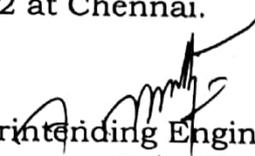
14. Hence, it is stated that the implementation of above said Project will give permanent flood relief to these highly flood vulnerable area due to absence of hydraulic link between 35 Tanks Surplus and Pallikkaranaï Swamp subject to administrative approval, technical sanction with financial grant and the procedures laid down for executing the project as per the Tamil Nadu Financial Code and Tamil Nadu Public Works Department Code. Orders of the Government are awaited on the above.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the individual report now filed on behalf of the Water Resources Department and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.

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

**VERIFICATION**

I, A. Muthiah, son of Asokan, Superintending Engineer, WRD, Palar Basin Circle, Chennai-5, do verify that the submissions made from paragraph 1 to 14 are correct to the best of my knowledge as per records and I signed this at Chennai on this.....<sup>st</sup>.....Day of.....March.....2022 at Chennai.

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

