

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
IN**

O.A. No. 36 of 2022

Meenava Thanthai K.R. Selvaraj Kumar,
Meenavar Nala Sangam,
Rep by its President,
M.R. Thiyagarajan, Chennai

...Applicant

Vs.

State of Tamil Nadu
Rep by its Chief Secretary,
Chennai and Ors

...Respondents

STATUS REPORT BY GREATER CHENNAI CORPORATION

IN O.A. No. 36 OF 2022

I. M.P.Thanigaivelan , S/o.M.V.Pinagapani. Hindu aged about 51 years, Executive Engineer, Zone - I, Greater Chennai Corporation having office at Thiruvottiyur, Chennai – 600 019, do hereby solemnly affirm and sincerely submit as follows:

1. I am working as the Executive Engineer Zone -I, in the Greater Chennai Corporation and hence I am well acquainted with the facts and circumstances of the case and I am filing this affidavit on behalf of the Commissioner, Greater Chennai Corporation.

2. I respectfully submit that the applicant has filed the above application before the National Green Tribunal in. O.A No. 36 of 2022 with the prayer as such:

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M.P.Thanigaivelan
**EXECUTIVE ENGINEER
ZONE-1 (Thiruvottiyur)
Greater Chennai Corporation**

- i. *Direct the Respondent Nos. 1 to 5 to demolish the illegal and unauthorized constructions erected by the encroachers in the place earmarked as water body namely "Kathivakkam Thamaraiikulam".*
- ii. *Direct the Respondent Nos. 1 to 5 to conduct proper survey of the pond with the original maps and to restore the water body to its original position.*
- iii. *Direct the Respondents No. 1 to 5 to rejuvenate the water body by constructing the bund, de-silting. Removal of encroachment, Blockage of Sewage and Removal of Non-active species.*
- iv. *Direct the Respondents No. 1 to 5 to initiate penalize action against the encroachers including the authorities permitted the violators to construct the buildings in the region of water body.*
- v. *Direct the Respondent Nos. 1 to 5 to recover the cost of remediation including the environmental compensation from the violators to reverse the damaged environment under Sec. 15 of the NGT Act.*
- vi. *Direct the Respondent No. 3 to create awareness program to the surrounding people about the impacts of encroachment and dumping of solid and liquid into waste into the water bodies.*

3. I respectfully submit that the Hon'ble National Green Tribunal passed an order dated 31.01.2023 in O.A. No. 36 of 2022, filed by the applicant as follows:-

"...5. So, in this regard, the Greater Chennai Corporation which is maintaining the water body in question is to take immediate action to evict the encroachers and restore the water body to its original condition.

6. As the learned counsel for the Greater Chennai Corporation is not appearing today and we have not received any report from them, the matter is adjourned to 20.02.2023.

7. Post the matter on 20.02.2023..."

4. I respectfully submit that in the year 2011 the Chennai Corporation has been expanded to 426 km² from the earlier 176km² and 42 small local bodies, including 9 municipalities, 8 town panchayats and 25 village panchayats were merged with Greater Chennai Corporation. Further the Kathivakkam Municipality was merged with Corporation of Chennai vide G.O.Ms.No.97 MA&WS Department dated 19.07.2011. Thereafter, the administration of Kathivakkam Municipality has been taken over by the Greater Chennai Corporation on 30.10.2011.

5. I respectfully submit that at the time of merging the erstwhile Kathivakkam Municipality did not hand over the "**Kathivakkam Thamaraiikulam**" to the Greater Chennai Corporation. Further, as per the Revenue Records the said "Kathivakkam Thamaraiikulam" is comprised in Survey Nos. 19 and 20 of Kathivakkam Village in which the Survey No. 19 is classified as Salt Department Kulam.

6. I respectfully submit that a letter dated 01.03.2022 was addressed to the Special Thasildar, Thiruvottiyur Taluk requesting to inspect and to earmark the boundaries of the "Kathivakkam

Thamaraikulam" and also to furnish a report in order to take further action against the encroachers. But till date the Special Thasildar, Thiruvottiyur Taluk neither inspected the "Kathivakkam Thamaraikulam" nor given any report to the Greater Chennai Corporation.

7. I respectfully submit that only after receipt of the report from the Special Thasildar, Thiruvottiyur Taluk, the Greater Chennai Corporation will be able to take further action against the encroachers by issuing notices as per the provisions of Chennai City Municipal Corporation Act, 1919.

It is therefore respectfully prayed that this Hon'ble Court to be pleased to pass such other further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Solemnly affirm that Chennai

On this the 18th day of February 2023

And signed his name in my presence

Before Me

ASA E.No. 2291/2019
119, Adl. Law Centre
High Court, Ch 104.

Advocate::Chennai

M.P. Thanigavelan
EXECUTIVE ENGINEER
ZONE-1 (Thiruvottiyur)
Greater Chennai Corporation

**NATIONAL GREEN TRIBUNAL
CHENNAI :: (SOUTHERN ZONE)**

O. A. No. 36 of 2022

STATUS REPORT

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