

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONAL BENCH, CHENNAI

ORIGINAL APPLICATION No. **51 OF 2016 (SZ)** (SUO MOTU)

*Suo Motu* Application - News Item Published in  
The Times of India Chennai Edition Dated  
07-03-2016 (Dumping Building Debris behind  
Pallikaranai Marsh Land).

Vs

The Principal Secretary to the Government,  
Dept. of Environment and Forests, Chennai  
& Others

... Respondents

**WRITTEN SUBMISSION**

1. It is submitted by the 6 respondent that the Beluah Nagar and Periya Muthulamman Nagar Plot Owners Welfare Association was formed on 01.09.2012 by the owners of plots in Beulah Nagar and Periya Muthalamman Nagar with the object of developing the plots, creating infrastructure facilities and providing basic amenities. The Association is registered as an Association under Tamil Nadu Societies Registration Act, 1975 and the Registration Number No. 473/2012.

2. It is submitted that a news was published in the Times of India, Chennai Edition dated 7<sup>th</sup> march 2016 under the caption "This is how Chennai's Water Bodies are disappearing" of India (Chennai Edition) on 07.03.16. The said article was full of baseless conjectures, incorrect

facts and made serious false allegations against the Respondent No.6 herein as if they have encroached water body by laying a road. Based on the above said News Paper report Vide Order date 07.0302016, the Southern Zonal Bench of Hon'ble Tribunal passed an Ex-parte interim injunction restraining the 6<sup>th</sup> respondent 'from proceeding further with any activities in the water body'.

3. It is submitted that originally that plots in the Beula Nagar and Periya Muthalamman Nagar situated in Survey Nos. 714 to 721 were Ryotwari Nanja land meant for cultivation as per settlement register of the year 1911 and copy of the extract of settlement register was obtained by the 6<sup>th</sup> respondent under RTI Act 2005. True copy of Extract of settlement register (consolidated Type Set Page No. 21- 26a). Therefore the lands comprised in the above said Survey Numbers are not a water body or water course or marsh land or wet land and it is a private patta land.

4. It is submitted that the total extent of lands of Beluah Nagar is 20.13 acres wherein 16.02 acres of lands have been developed into 120 plots consisting of 6,98,059 sq. ft. and 4.11 acres of land have been allotted for infra structure facilities namely Roads. The total extent of lands for Periya Muthalamman Nagar is 12.13 acres wherein 9.17 acres of land have been developed into 176 plots consisting of 165 grounds and 561 sq. ft. and 2.96 acres of lands have been allotted for infra structure facilities such as roads. Members of the 6<sup>th</sup> respondent are having patta in their name.

5. It is submitted that the Pallikaranai Panchayat has issued a letter of 'No Objection' to the District Registrar, Saidapet, Chennai – 600 015 for registering the lands as individual Housing Plots in different names on 16.06.1988 for Periya Muthalamman Nagar. (Consolidated Type Set Page No. 27-28).

6. It is submitted that earlier acquisition proceeding initiated but the Assistant Commissioner of Urban Land Tax, Alandur had dropped the Acquisition Proceedings in the year 1988 after inspecting the lands and after conducting a thorough inquiry. True copy of Proceedings of the Assistant Commissioner, Urban Land Tax Alandur (consolidated type set page No.29).

7. It is submitted that an extract of 'A' Register maintained by the Revenue Department discloses that the Survey Nos.719 to 721 of Pallikaranai Village stand in the name of the various vendors of the lands owned and possessed by the members of the association. It is submitted that the Chennai Metropolitan Development Authority has informed that the Survey Nos. 714 to 721 of Pallikaranai Village are under the acquisition for the MRTS Project. Further, it was informed that the above Survey Nos. 714 to 721 are classified as "Institutional Use Zone". It is submitted that a notification for acquisition of lands in Pallikaranai Village, Dated July 1, 2013 of the District Collector, Kancheepuram District discloses that the Survey Nos. 714 to 721 of Pallikaranai Village are exempted from the acquisition proceedings of the Government of Tamil Nadu. The interim report filed by the Advocate commissioner before Hon'ble High Court on 29.11.2017 in CrI.O.P.No.

4413 of 2013 confirms that that the 6<sup>th</sup> respondent lands are patta lands. Copy of the Interim Report filed in (Consolidated Type Set Page No. 234-236).

8. It is submitted that the lands under reference do not form part of the Pallikaranai Marsh. They are private lands owned and possessed by the plot Owners of the Association with valid title deeds. The Revenue Authorities have issued Pattas to these lands. Therefore, the absolute possession and ownership are vested with the Plot Owners of the association. It is submitted that the lands under reference is not a natural water body. It is only water logged due to various other man-made factors. The depth of the water measures about 1.5 feet to 2 feet height.

9. It is submitted that there are Two Sewage Treatment Plants at Perungudi 1) STP of CMWSSB (Metro Water) at Perungudi 2) Alandur STP at Perungudi, both are situated at Perungudi within the same compound. It is submitted that daily several million litres of sewage water from various part of the Chennai is being transported by the lorries to Perungudi Sewage Treatment Plant (STP) but the said STP had no sufficient capacity to treat the sewage water, therefore excess untreated sewage water is being regularly let out in the open lands on the Southern side for several years till date and similarly sewage water is being pumped from Alandur Municipality to STP at Perungudi through pipe line. The said untreated water is flowing into some area of marsh land due to poor maintenance of pipe line which was broken at several places. Apart from that the continuous dumping of garbage has led to the

creation of a mountainous heap of garbage on the southern side which has further worsened the situation by blocking the free flow of treated sewage water and therefore, the entire treated sewage water is diverted to flow from the South to the Northern and Western sides of the lands under reference. More than 105 million litres of sewage from Pallavaram Municipality, Alandur and other southern areas reach the treatment plant in Perungudi. The Alandur Sewage Treatment Plant is not working regularly for several years and this causes a regular flow of sewage water into the open area and subsequently into the adjoining areas including the 6<sup>th</sup> respondent lands.

10. It is submitted that the said news report did not state the actual cause of the stagnation of water - i.e., the dilapidated condition of the Perungudi Sewage Treatment Plant (STP) maintained by the Chennai Metro Water Supply and Sewerage Board (Respondent No.5) and the huge dumping of garbage are the actual cause of the stagnating water on the land. Infact 6<sup>th</sup> respondent is the ultimate sufferer of mischievous act of 4<sup>th</sup> and 5<sup>th</sup> respondents who are responsible for the damages caused to 6<sup>th</sup> respondent's patta lands due to the letting out of sewage water into marsh land and dumping of garbage in the marsh land which prevents the flow of water which resulted in stagnation of contaminated water in the 6<sup>th</sup> respondent patta lands.

11. It is submitted that one H.Sekar Social Worker has filed an application before Hon'ble National Green Tribunal South Zone Chennai in Application No.145 of 2015 against the secretary to Government of Tamil Nadu, The Regional Transport Department and others to issue

direction to stop all activities in the Marsh Land and Canal Kaveli land situated in Survey No.707 comprising 61.60 acres at Sholinganallur Village by dumping building debris in order to level the land to construct Regional Transport Office. The respondents- government contended that about 2.83.5 he was sub divided as survey no.707/2 and transferred to Tamil Nadu Transport Department for the construction<sup>i</sup> of Regional Transport Office vide G.O.(ms)No. 25 dated 18.01.2013 and further stated that the above said land is classified as Government poramboke-kazhuveli and not a marsh land as alleged by the applicant. It was argued by the respondents- Government that there is no impediment to construct building for Regional Transport Office at Government - Paramboke land as the same was not classified as wet land or water body or marsh land. The Hon'ble Tribunal observed that the disputed land is neither a water body nor back water nor a marsh land and permitted to construct Regional transport Office in the disputed area by an order dated 02.08.2017 in O.A.No.145 of 2015. In the case of the 6<sup>th</sup> respondent, the disputed land is patta land and the same was also confirmed by Revenue and forest departments.

12. It is stated at para 3 of the advocate Commissioner's Report that the hydrologist has submitted a report dated 09.10.2017 that "on a perusal of Revenue records perused by them, the land in<sup>i</sup> question is patta lands" the Buela Nagar and Periya Muthalamman Nagar area comprised in Survey No. 714 & its all parts 715 & its all parts (Except 715/1), 716 & its all parts, 717 & its all parts (Except 717/ 2B1), 718, 719, 720, 721, 723, 724 & its all parts (Except 724/1) are all classified

as Ryotwari Nanjai Patta lands meant for cultivation located very adjacent to Marsh land" (Page No.107) and further stated that "the result of tested water samples indicates that the present land of water pollution near Buela Nagar and Muthalamman Nagar are comparatively higher than the Maturation Pond of STP, plant and far beyond the standards".

13. It is further she stated that in her opinion that both the Nagars are situated at a higher level than the STP and hence there is no natural gradient which causes the flows from the STP by gravitational force towards the Nagars. The above said opinion is also incorrect. In fact STP plant was constructed and roads were formed in the Marsh land by raising the ground level and the entire plant was compounded which is higher level than both Nagars. Therefore report of Care Earth is misleading and need not be relied upon.

14. The layout of Beaula Nagar was formed in the year 1966 well before Act 1971 and layout of Periya Muthulamman Nagar was formed in the year 1989 and on 16.06.1988 no objection certificate was issued to convert as house site by Village Panchayat prior to the insertion of 47A by Amendment of Act 46/2010. Therefore, the land owners of the 6th respondent are entitled to develop and use the land as per existing rules and regulations.

15. It is submitted that with regard to observation of Advocate Commissioner report in so far a Coastal Zone Management Plan, they

themselves admitted that no specific assessment of the Pallikaranai Marsh for CRZ Classification has been undertaken till date.

16. It is stated in the report that as per Development Control Rules no development shall be made in a site unless the Authority approves as a site for construction of building for any development if the site is near a water body or water course and the proposed development is likely to contaminated the said water body. It is humbly submitted that the land adjacent to patta lands is only a marsh land and not a water body or wet land. It is incorrect to state development of patta land would cause contamination to a marsh land. Whereas the entire Marsh Land and adjacent patta lands are being affected due to contaminated water logging in that area not only by the dumping of garbage by corporation but also letting out untreated sewage water directly into the marsh land from STP throughout the year.

17. It is submitted that one Laksmanan and Azhagiri filed an anticipatory bail petition to grant bail in the event of arrest in Crime No.62/2012 on the file of Central Crime Branch in CrI.O.P.No 4431 of 2013 before Hon'ble High Court. The case of the prosecution was that they have fabricated documents to claim the marsh land measuring about 66.70 acres belonging to the Government. At that time of argument, the Hon'ble Court came to know that marsh lands are fraudulently or by design are being encroached upon and alienated. In that connection the Ho'ble High Court on 18.11.2016 directed to identify the encroachers in the marsh lands in Pallikaranai Village comprised in various Survey Numbers except 6<sup>th</sup> respondents lands comprised in S.No

714 to 721. Copy of the order dated 18.11.2016. Therefore the case of the 6<sup>th</sup> respondents is no way connected with the case pending before Hon'ble High Court. It is submitted that the one of the Advocate Commissioner (Mr.Ramanlal) had filed Interim Report before Hon'ble High Court accepting that the survey Numbers in dispute are patta land.

18. It is submitted that the Advocate commissioner appointed by the Hon'ble High Court has given an interim report on 29.11.2017 wherein at para 9 (page no.234). It has been categorically stated that "I along with the team inspected K.P.Kandan Nagar, Buela Nagar and Periya Muthalamman Nagar, K.P.Kandan Nagar is in 658/1a, 21b of pallikaranai marsh land. The entire K.P.Kandan Nagar lies adjoining to Beula Nagar and Periya Muthalamman Nagar branches off from OMR Road proceeded towards MGR Road and Link Road and enter K.P.Kandannagar. The Buela Nagar and Periya Muthalamman Nagar situate in Survey No. 714 & its all parts 715 & its all parts (except 715/1), 716 & its all parts, 717 & its all parts (Except 717/ 2B1), 718, 719, 720, 721, 723, 724 & its all parts (Except 724/1) are all classified as Ryotwari Nanjai Patta land and the officials accompanied me confirmed that K.P.Nagar is an encroachment in the Marsh Land". Therefore the interim report of Advocate Commissioner 29.11.2017 filed before Hon'ble High Court also confirms 6<sup>th</sup> respondent land is a patta land.

19. It is submitted that the Hon'ble High Court has directed to identify the encroachers of marsh land with respect of Survey Number other than 714 to 721 and it is admitted by Revenue authorities that Survey No. 714

to 721 are patta lands and they have also produced Pattas, A -Register and settlement records of the year 1911 to prove that all the Survey Nos. 714 to 721 are patta lands. The forest department also filed their additional report on date March, 2019 stating that the lands are not wet land and the S.No 714 to S No.721 lands are private patta land (Page No. 157-160) and it is false to state that the said land is a part of marsh land, therefore at any stretch of imagination, it cannot be stated that the 6<sup>th</sup> respondent land owners are encroachers.

20. It is submitted that the issue before the Hon'ble Tribunal is that whether the marsh land has been encroached by 6<sup>th</sup> respondent land owners. All authorities have categorically stated that the Buela Nagar and Periya Muthulamman Nagar are patta lands, therefore it is clear that they are not encroachers and they are entitled to use the land as per the existing rules and regulations.

21. It is further submitted that the 5<sup>th</sup> respondent has filed the counter dated 30.11.2016 and at para 5<sup>th</sup> and 6<sup>th</sup> stated that there is no letting out of sewage into the marsh land at present and further stated that with regard to stagnation of water in the disputed land, it is not due to Alandur Sewage treatment plant. The stagnation of water in the disputed land is in existence for a long period and aggravated during recent floods. But 5<sup>th</sup> respondent has admitted the fact in the objection to the advocate Commissioner's report of November, 2016 at para 9 that "since the dumping of debris / garbage the water flow to marsh land has been clogged and the water gets stagnated around that area. Hence there is no overflow of sewage from sewage treatment plant to marsh land".

The pollution control Board and forest department have not stated anything contrary to the interest of the 6<sup>th</sup> respondent.

22. In the said circumstances order passed to restrain the 6<sup>th</sup> respondent land owners to enter into their patta lands may be vacated as if they have encroached marsh land. It is submitted that the 6<sup>th</sup> respondent land owners are entitled to change of land use subject to the approval of concerned of authorities as per existing rules and regulations of Central and State Government. It has been held by Supreme Court in the Case of Vardha Enterprises dated 29.10.2014 **2015 (15) SCC 352** that "in absence of any legal embargo as on today, the applicants rights to carry on the construction according to the existing law and various permission granted under it cannot be frustrated by executive action in anticipation of some embargo which is likely to be created in future.

It is therefore prayed that this Hon'ble Court may be pleased to vacate the interim direction granted on 07.03.2016 in O.A.No 51 of 2016 not to proceed with any activities in the above said patta lands by the 6<sup>th</sup> respondent and pass such other order or orders in the circumstances of the case render Justice.

Dated at Chennai on this the 20 Day of September 2021.

  
COUNSEL FOR RESPONDENT-6

BEFORE THE NATIONAL GREEN  
TRIBUNAL

SOUTHERN ZONAL BENCH,  
CHENNAI

ORIGINAL APPLICATION No. **51 OF 2016**  
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& Others ... Respondents

**WRITTEN SUBMISSION**

~~17-07-21~~

Hg 21-10-21

M/s. M.S.SOUNDARARAJAN

B.GOWTHAMARAJAN

COUNSEL FOR RESPONDENT-6

mob: 9884340900.

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SOUTHERN ZONAL BENCH, CHENNAI

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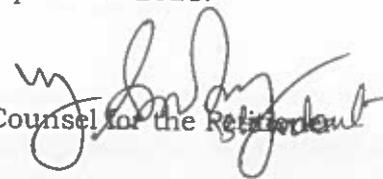
... Respondents

INDEX

Sl.#	Date	Particulars	Page No.
1.	----	Revision Survey and Re-Settlement Register	--- 1
2.	16.08.1988	N.O.C of Village Panchayat	--- 7
3.	10.05.2016	Report Filed by the Forest Department C.No.1048/D/2016	--- 11
4.	29.11.2017	Advocate Commissioner Interim Report Filed in CrI.O.P.No.4413/13	--- 22
5.	.03.2019	Status Report Filed by the 10th Respondent in O.A.No.83/2014	--- 44
6.	22.03.2019	Proceedings in Tha.Aa.U.Sa.(2005) Manu.No.92/2019/B1 with Respect of Patta	--- 60
7.	----	CDJ 2014 SC 1263	--- 75

Certified that the above documents are true copies of the originals.

Dated at Chennai, this the 20<sup>th</sup> day of September 2021.

  
Counsel for the Respondent

4  
 Reriqu-Barrey and Residencies Head of the Village... N. 13, Malabar, Taluk Chingleput District.  
 200 கல்பட்டினம் ஜில்லா, காசாபட்டினம், தாலூகா எ.ந. 13, மலபார், சிங்கப்பேட்டை தாலூகா மாவட்டம்.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Registration number	Class-Division	OMI survey number and letter	Government (G) or Land (L)	Private (P) or Land (L)	Wet (W) or Irrigation (I) or Tank (T)	Dry group or Wet dam	Source of irrigation	If double rate of assessment	Class and sort of soil	Water rate	Assessed rate per acre	Area	Extent	Number of Tanks or Inam Title-deed or Inventory of the Manager of the Institution which the land belong	Remarks
பதிவு எண்	கிளாஸ்-டிவிஷன்	OMI சர்வே நம்பர் மற்றும் லெட்டர்	சர்க்கார் (G) அல்லது நிலம் (L)	பிரைவேட் (P) அல்லது நிலம் (L)	வெள்ளை (W) அல்லது ஊர்வாய் (I) அல்லது குளம் (T)	வெள்ளை குழு அல்லது வெள்ளை அணை	ஊர்வாய் மூலம்	இரட்டை விகிதம்	நில வகை	நீர் விலை	அகில விலை	அளவு	வெள்ளை	தாண்டி அல்லது இனம் தலைப்பை அல்லது நிர்வாகியின் பட்டியலில் உள்ள நிலம்	குறிப்பு
654			G			3	...	...	7-5	0	8 83	7 4	233	Kandan and Verian	
655	1	655 A		D		3	...	...	7-4	1 4	0 63	1 1	173	Viran Son of Kandan	
655	2	655 B	G	M	W	3	...	...	7-4	1 4	3 24	4 1	167	V. Kandyappa Nayan	
655	3	655 A	G	M	W	3	...	...	7-4	1 4	0 93	1 3	147	S. Rangappa	
655	4	655 A	G	M	W	3	...	...	7-4	1 4	2 60	3 4	173	Viran son of Kandan	
655	5	655 A	G	M	W	3	...	...	7-4	1 4	0 76	0 15	254	Palaniyam	
656	1	656	G	W	W	3	...	...	7-5	8 2 14	0 72	2 1	353	V. Manick	
656	2	656	G	W	W	3	...	...	7-5	6 2 14	0 83	2 6	46	Gov. Gangaiah	
657		657 A	G	P	W	3	...	...	...	1 55	4 7	...	...	...	...
658	1	658/0	G	M	W	3	...	...	7-5	8 1 0	213	40713 6	...	...	...

1



ISSUED UNDER  
R.T.I. ACT - 2005.

Revisioin Survey and Re-Settlement Register of the Village of Falikaranni, No. 231, Saldapet-Palyuk Chingieput District.  
 - 2 - கல்வெட்டு, வசதிகளும், தானாக, 211, பீளாநகரம் இரட்டித்திரி ரிவிஷன் ரிசெட்டிங் மெண்டி கைபர்லாதி ரிஜிஸ்டர்

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Revisioin-survey numbers	Block-division	Old survey number and letter	Government (G) or India (I)	இலா (G), (I)	Dry (D), Malarani (M), Wet (W) or Formlake (F), (W) or Formlake (F), (W) or Formlake (F)	Source of irrigation	If double crop, rate of composition	Class and sort of soil	Area in ari	Consolidated rate per acre	Area in ari	Area in ari	Number of Patta or Inam Title-hold, name of Patta-fidat or Inamdar or the Manager of the Institution to which the land belongs	Remarks	
720		658 2/7	G	W	3	3	...	7-5	4 2 14	4 86	0 12	0 6	271	Bali Mahmood Kasim Sahib ராசி, மகமூத கசிம் சாஹி	Baling remission இலாவு வர. 0 2-0 150
721		658/3	G	M	3	3	...	7-4	7 1 4	6 67	5 7 8 14	6 1	283	Ponnappa Chetti, குமாரசாமி சாஹி	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
722		658/4	G	W	3	3	...	7-5	2 14	6 67	6 67	19 3	286	Malai Kannu Nayakkan மலையன் கன்னு நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
723		658/5	G	W	3	3	...	7-6	10 2 0	4 2	4 2	8 8	384	Ji Varadappa Nayakkan ஜி வரதாப நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
724		658/3	G	W	3	3	...	7-6	2 0	16 54	16 54	21 1	380	O. Kanurappa Nayakkan ஓ. கனூரப்ப நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
725		657 A	G	W	3	3	...	7-5	2 11	3 24	3 24	9 5	384	Ji Varadappa Nayakkan ஜி வரதாப நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
726		657 A	G	W	3	3	...	7-5	2 11	4 1	4 1	21 5	447	K. Kattu Kuruppa Nayakkan க. கட்டு குரூப்ப நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1
727		657 A 2	G	W	3	3	...	7-5	2 11	1 41	1 41	4 2	380	K. K. Vellai Nayakkan க. க. வெலை நாயக்கன்	Baling remission இலாவு வர. Re, 6-11-0 do வர. 4-1-0 do வர. 10-9-0 do வர. 12-2-0 50/1

3  
 12-2-0 50/1  
 12-2-0 50/1  
 12-2-0 50/1

பீலாநகரம் இரட்டித்திரி ரிவிஷன் ரிசெட்டிங் மெண்டி கைபர்லாதி ரிஜிஸ்டர்  
 கட்டுரை செய்து  
 11/11/17

6	5	4	3	2	1	0	9	8	7	6	5	4	3	2	1	0
727	657 A	W	3	7-5	8 2 14	1 10	3 3	212	SARAYA CHINDAN	do	847	1				
728	657 A	W	3	7-5	8 2 14	2 81	3 1	8	CHINNA KONDAL NAYAKAN	do	847	1				
	657 A	W	3	7-5	8 2 14	3 83	11 5	7	CHINNA KONDAL NAYAKAN CHINNA KONDAL NAYAKAN CHINNA KONDAL NAYAKAN	do	847	1				
					Grand total	1288	48169-7									
					Less O. P. A.	...	853 8									
					Deduct Baling rent	...	48169-7									
					Grand total	1288	48169-7									

3162-1 - (vide notes last)  
 is used along  
 vide notes of  
 3162-1.

REVENUE SETTLEMENT OFFICE,  
 PARTY No. 1, SALEM, 1911

J. GRAY,  
 Special Settlement Officer.

Back wat

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Soilwar Abstract, ilago nmai, No. 231, Saidapet Taluk, Chingleur  
 செங்கல்பட்டில் ஜில்லா, கைதாடு, இ.நா. 231, பள்ளிக்கரணம் திரைத்தின் கோட்டம்

1 Dry- படுகை	2 Class and sort of soil. மண்வகைகளின் வகைகள்	3 Taram அளவு	4 Single or double crop. ஒரே நிலத்தில் ஒருமுறை அல்லது இரண்டு முறை	5 Rate per acre. ஒரே ஏக்கரில் விலை	GOVERNMENT கைகொண்டிருக்கிற நிலங்கள்						IMAM. இலாபம்		Total. மொத்தம்	
					Occupied. கொண்டிருக்கிற நிலங்கள்		Unoccupied. கொண்டிருக்காத நிலங்கள்				10 Erent. விலை	11 Asses- ment. விலை	12 Erent. விலை	13 Asses- ment. விலை
					6 Erent. விலை	7 Asses- ment. விலை	8 Erent. விலை	9 Asses- ment. விலை	10 Erent. விலை	11 Asses- ment. விலை				
11					6	21 03	8 2	...	...	...	...	21 63	8 2	
III Group கூடுதல் வகை	2-5	6	...	...	...	1 61	0 13	...	...	...	...	1 61	0 13	
	4-5	7	...	...	...	59 49	22 8	40 30	15 2	...	...	99 79	37 10	
	7-5	8	...	...	...	96 53	120 12	0 37	0 8	4 58	5 12	101 48	127 0	
	8-1	5	...	...	...	...	...	0 35	0 4	...	...	0 35	0 4	
	8-2	6	...	...	...	...	...	26 76	13 5	2 93	1 6	103 32	51 13	
	8-3	7	...	...	...	73 63	37 0	27 48	11 1	7 51	7 4	205 15	179 1	
					...	176 16	157 12	27 48	...	7 51	7 4	328 18	235 10	
					...	262 29	189 3	57 78	29 3	7 51	7 4	...	...	
	Total Dry. கூடுதல் வகைகளின் மொத்தம்				...	...	...	...	...	...	...	...	...	
Moisture படுகை					...	...	...	...	...	...	...	...	...	
	III Group கூடுதல் வகை	4	...	...	...	5 31	11 15	...	...	0 46	1 1	5 77	13 0	
	7-4	7	...	...	...	21 25	42 13	...	...	...	...	31 25	42 13	

வட்டாட்சியர் அலுவலக இணையசேவை - நில உரிமை விபரங்கள்



தமிழக அரசு

வருவாய்த் துறை

நில உரிமை விபரங்கள் : இ. எண் 10(1) பிரிவு

மாவட்டம் : காஞ்சிபுரம்

வட்டம் : சோழிங்கநல்லூர்

வருவாய் கிராமம் : பள்ளிகாரணை

பட்டா எண் : 1012

உரிமையாளர்கள் பெயர்

1. சென்னை .மாநாட்சி

புல எண்	உட்பிரிவு	நன்செய்		புன்செய்		மற்றவை	
		பரப்பு	தீர்வை	பரப்பு	தீர்வை	பரப்பு	தீர்வை
709	-	1 - 36.00	9.64	--	--	--	--
710	-	1 - 41.50	10.07	--	--	--	--
711	-	0 - 89.50	6.34	--	--	--	--
712	-	1 - 65.00	14.63	--	--	--	--
713	-	1 - 60.50	11.39	--	--	--	--
657	181	--	--	173 - 33.00	157.73	--	--
		6 - 92.50	52.07	173 - 33.00	157.73	--	--

குறிப்பு :



- மேற்கண்ட தகவல் / சான்றிதழ் நகல் விவரங்கள் மின் பதிவேட்டிலிருந்து பெறப்பட்டவை. இவற்றை தாங்கள் <http://eservices.tn.gov.in> என்ற இணைய தளத்தில் 03/10/119/01012/40924 என்ற குறிப்பு எண்ணை உள்ளீடு செய்து உறுதி செய்துகொள்ளவும்.
- இத் தகவல்கள் 15-03-2016 அன்று 08:53:30 PM நேரத்தில் அச்சிடக்கப்பட்டது.
- கைப்பேசி கேமராவின் 2D barcode படப்பாள் மூலம் படித்து 3G/GPRS வழி இணையதளத்தில் சரிபார்க்கவும்.

[http://eservices.tn.gov.in/eservicesnew/AndCHNAExtract\\_la.html?lan=la](http://eservices.tn.gov.in/eservicesnew/AndCHNAExtract_la.html?lan=la)



பதிவு எண்: 16,8,1988

பெயர்:

உயர் திரு மாவட்ட பதிவாளர் துறர்கள்,  
கைதாபேட்டை இரயில் 1,  
வைதாபேட்டை. சிவகாமி 35.

ஆய்வு:

பயிற்சிக்காரர் கிராமத்தில்

சீர்தர எண்.	719-ம்	4.20.
சீர்தர எண்.	720/1ம்	2.95.
சீர்தர எண்.	720/2ம்	0.12.
சீர்தர எண்.	721-ம்	4.86.

ஆக 4 அலுவலர் சேர்ந்து ரூ.12,000.00 மட்டும் மண்களாகப்  
பிரிவு, பல நபர்களுக்கு விவரப்படுத்தியிருக்கின்ற கைதாபேட்டை  
மண்டல பதிவாளர்களுக்கு விவரமாக அறிவிக்கப்படும்.

*(Handwritten signature)*

பதிவாளர்  
கைதாபேட்டை  
சிவகாமி-601 002

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clean copy

8

Pallikaranai

Date : 16.08.1988

To,  
District Registrar  
Saidapet - Joint -I  
Saidapet Chennai- 35.

Sir,

That the Pallikaranai Panyachat has no objection to convert 4.20 acres in S.No.719, 2.95 acres in S.No. 720/1, 0.12 acres in S.No. 720/2 and 4.8 acres in S.No.720 of Pallikaranai Village as house sites and registering the land as individual housing plots in different names.

President  
Panyachat union  
Pallikaranai  
Chennai

PROCEEDINGS OF THE ASSISTANT COMMISSIONER, URBAN LAND TAX ALANDUR  
MADRAS-88

PRESENT : THIRU RE VANKATARAMANI

S.R. (K.Dis) 1385/85 (Pallikaranai)

Dated: 19.12.1988

Sub: Tamil Nadu Urban Land (C & R) Act 1978  
M.U.A, Pallikaranai Village, S.No.719 etc.  
Notice under Sec. 7(2) of the Act issued to  
Tmt. Kanchan Kumari-Objection received-  
Further proceedings dropped under Sec.9(5)  
of the Act-Reg.

- Read: 1. This Office S.R. 1385/85 dt.10.2.1988  
 2. This office S.R; 1385/85 dt. 30.3.88  
 3. Letter dt. 19.8,1988 from Tmt.Kanchan Kumari  
 Madras-1  
 4. Letter dt.5,11.1988 from Tmt.Kanchan  
 Kumari Madras and  
 5. other connected papers.

ORDER

Notice under sec. 7(2) of the Act was issued to Tmt. Kanchan Kumari  
w/o: S.Rikahchand Samdaria, for the following lands in Pallikaranai  
village, in Saidapet Taluk in this office reference first read above.

<u>Survey No.</u>	<u>Extent</u>	<u>Classification</u>
	Ac. C	
719	4.20	Wet
720/1	2.95	"
720/2	0.12	"
721	4.86	Dry

The said notice was served on 23.2.1988. Since no reply  
was received in this office, notice under sec.9(4) of the Act with  
statement under sec. 9(1) of the Act was issued to her, to acquire the  
Excess vacant land measuring an extent of 49050 sq.mts, leaving an  
extent of 500 sq.mt, towards her family entitlement as per this office  
reference second read above.

Thereafter the land owner Tmt. Kanchan Kumari sent a reply  
stating that the lands in S.No.719, 720/1, 720/2 and 721 of Pallikaranai  
village are agricultural lands. She has also produced copies of  
addangals for faslis 1394, 1395 and 1398 from which it is seen that

10

..2..the

The said lands were brought under cultivation during the said periods. The Dy. Tahsildar of this office was reported that the adnagals for Faslis from 1381 to 1388 for the said village are not available in the records of the Taluk Office, Sadapet.

I inspected these lands on 18.11.1988. The said lands which form compact block are surrounded by private lands and the Government poramboke lands, and they have no direct access through any public road. It is surrounded by the storm water, which was being drained.

Though the said lands lie vacant, at present, the character of them continues to be agriculture as claimed by the land owner. Hence the lands in S.No: 719, 720/1, 720/2 and 721 of Pallikkaranai village will not attract the provisions of the T.N.U.L (C & R) Act 1978 so long as they continue as agricultural lands.

In view of the above circumstances, further proceedings in respect of the aforesaid lands are dropped under sec. 9(5) of the Act.

*[Signature]*  
Assistant Commissioner (ULT)  
Alandur.

To  
Tmt. Kanchan Kumari, W/o: Rikabchand Sandaria  
41, Veerapan Street, Madras-1.

TAMIL NADU FOREST DEPARTMENT

From

K. Asokan B.Sc.,  
District Forest Officer,  
Chennai Forest Division,  
Chennai - 06.

To

District Forest Officer,  
Chengalpattu Forest Division,  
Kancheepuram.

C.No. 1048/D/2016 dated 10.04.2018

Subj:- Forests - Minutes of meeting of committee constituted by the National Green Tribunal, Southern Zone, Chennai. 15.04.2016 at Interpretation Centre, Pallikaranai - Regard.

- Ref:- 1) District Forest Officer, Kancheepuram. C.No. 1653/16D dated 16.04.2016.  
2) Minutes of the meeting of committee constituted by National Green Tribunal, Southern Zone, Chennai. Application No.51 of 2016 (S2).

As per the above cited reference I have replied as follows.

Paragraph No. 1:-

The survey work has been taken out on 28.04.2016 by the Head Surveyor of Taluk Office, Sholinganallur and Surveyor of Pallikaranai Birka. The survey work carried out in S.No. 658/1A in the encroachment area. In S.No. 658/1A Total area is 88.47.0 ha. Out of which the Revenue department allotted 34.84.0 ha to Forest Department. This area was not marked in the FB sketch and survey work not completed. However, the survey team demarcated between the Forest Department allotted Land s.no. 658/1A and disputed area survey No. 714 to 721.

Paragraph No.2:-

The Forest Department have taken the list of encroachers in the area of Dr. Ambedkar Nagar, Vempampatty, Mahalakshmi Nagar, Mettukuppam, Kamatchi Nagar and Quaide Millath Nagar. There are 682 Nos. of encroachment found in the above area. The total extent of the encroachment is nearly about 10.21.ha. The encroachment in S.No 658/1A could not be identified as the survey work was not yet completed.



Paragraph No.3:-

- Declaring the Section 4 Notified Marsh area as RF Under section 16 of Tamil Nadu Forest Act 1882 Area 317.00.0 ha

The proposal Under Section 16 of Tamil Nadu Forest Act 1882 has been received from Forest Settlement Officer, Thiruvallur and the same has been sent to District Collector, Kancheepuram in Ref.No. 9143/2002 dated 31.07.2014 by District Forest Officer Kancheepuram. The proposals is pending with District Collector, Kancheepuram

- Declaring Section 4 Notification for the area taken over from Chennai corporation As per G.O (Ms) No. 127 Municipal Administration and water supply (MCI) Department dated 24.12.2012 Area 170.40.5 ha

The proposal Under Section 4 of Tamil Nadu Forest Act 1882 was sent by the District Forest Officer, Kancheepuram to Collector Kancheepuram vide D.O letter No. D/4508/2013 dated 21.08 2014. This proposal is pending with Collector.

- Declaring Section 4 Notification for the area taken over as per G.O.(Ms).No. 147 Revenue (LD-V) Department dated 02.05 2014 Area 71.70.0 ha.

The proposals Under Section 4 of Tamil Nadu Forest Act 1882 was sent by the District Forest Officer, Chennai to collector, Kancheepuram vide District Forest Officer's C.No. 1631 /2015/D dated 21.12.2015. This proposal is pending with Collector, Kancheepuram.

- The Area Declared Under Section 26 of Tamil Nadu Forest Act 1882 by Collector Kancheepuram in District Gazette No.6 dated 01.07.2013 Area 131.55.0 ha

This areas boundaries are not properly demarcated. This area was not also handed over to Forest Department. This area was not properly demarcated.

*[Signature]*  
 District Forest Officer,  
 Chennai Forest Division,  
 Chennai-06.

Copy to Assistant Conservator of Forests Pallikaranai.



**ENCROACHERS LIST IN PALLIKARANAI MARSH LAND**

13

Dr.Ambedkar Nagar, Veppampatti & Mahalakshmi Nagar, Mettukuppam - Pallikaranai			
Sl.No.	Name of occupant	Survey No.	Remarks
1.	T.Devaraj S/o. Thangavel	657/3A3, C to K	G.O.Ms.No. 52 E & F Dated:09.04.2007
2.	Malligarjun S/o. Penchillai		
3.	Selvi W/o. Murali		
4.	Gowri W/o. Raman		
5.	Kuppu S/o. Sagadevan		
6.	Narayanasamy S/o. Kannan		
7.	R.Ramu S/o. Raman		
8.	Sagadevan S/o. Thiruvengadam		
9.	Ammu W/o. Palani		
10.	Indira W/o. Muthupandi		
11.	Senthil S/o. Selvamuthu		
12.	Komala W/o. Ellappan		
13.	Crishdober S/o. Jayanayagam		
14.	Madhavan S/o. Elumalai		
15.	Murthy S/o. Elumalai		
16.	Ramu S/o. Perumal		
17.	Raman S/o. Perumal		
18.	Logammal W/o. Kandasamy		
19.	Annusuya S/o. Nandan		
20.	Devi S/o. Kannan		
21.	Malliga W/o. Sekar		
22.	Madhavan S/o. Muthuraman		
23.	N.Ranganathan S/o. Narayanan		
24.	Malignanamurthy S/o.		
25.	Partheerselvam S/o. Arumugam		
26.	Anbazhagan S/o. Bavani W/o. Anbazhagan		
27.	George S/o. S.V. John		
28.	Samuvel S/o. Kalyanasundaram		
29.	R.Senthil S/o. Ranganathan		
30.	S.Palani S/o. Srinivasan		
31.	Arumugam S/o. Muthan		
32.	Kannan S/o. Thangavel		
33.	Iyyappan S/o. Ranganathan		
34.	Chinnaraj S/o. Veeraraghavan		
35.	Nithya W/o. Jaganathan		
36.	Rajan S/o. Munusamy		
37.	Balasubramaniam S/o. Ramakrishnan		
38.	Shanthy W/o. Azhagu		
39.	C.Pandiyan S/o. Chinnapayan		
40.	Rajendran S/o. Veeran		
41.	Jayalakshmi		
42.	Manigandan	657/3A3 C to K	G.O.Ms.No. 52 E & F Dated:09.04.2007
43.	Mugadeenpath		
44.	Arumugam		
45.	Shanthy W/o. Azhagu		
46.	Ramu S/o. Narayanan		
47.	Izakkimuthu S/o. Muthukattan		
48.	Jayaseelan S/o. Rajangam		
49.	Elumalai		
50.	Muthu		
51.	S. Srinivasan		
52.	Amutha W/o. Selvara		
53.	Gangammal W/o. Poomannan		
54.	Babu S/o. Thangavel		
55.	Kannan S/o. Thangavel		



12

57.	Samaharhulla S/o. Manikannan		
58.	Ramesh		
59.	Buvaneshwari		
60.	Sett		
61.	Balu		
62.	Murugadass S/o. Chokkaiyya		
63.	Maragadham		
64.	Sekar S/o. Pantchavaraniam		
65.	Muthukumar S/o. Thangadurai		
66.	Arul S/o. Chinnasamy		
67.	Jayaseelan S/o. Sourimuthu		
68.	Ellammal W/o. Raju		
69.	Murugan S/o. Periyannan		



15

III. Kamatchi Nagar

Sl.No.	Name of occupant	Survey No.	Remarks
1	Vadivel S/o. Ramasamy	657/3A2	Corporation Patta transferred as Forest Patta
2	Valli W/o. Chandran		
3	Jayabal H/o. Manimegalai		
4	Vasanthi W/o. Ramalingam		
5	Elumalai S/O. Chamundi Nayakkar		
6	Shanthi W/o. Ilango		
7	Subramani S/O. Ponnusamy		
8	Ramachandran S/O. Arumugam		
9	Vijayalakshmi W/o. Raji		
10	Raji S/o. Munusamy		
11	Thangammal W/O. Govnidhasamy		
12	Ramesh S/o. Venu		
13	Dharmalingam S/o. Karuppan		
14	Valli S/o. Ganesamurthy		
15	Murugan S/O. Arumugam		
16	Vijayalakshmi W/o. Ramesh		
17	Chinnaponnu W/o. Rathnavel		
18	Murugesan S/o. Poochi		
19	Vengatesan S/o. Ramasamy		
20	Mani S/o. Rangasamy		
21	Rajavel S/o. Pitchandi		
22	Kumarakurubaran S/o. Kannusamy		
23	Parameshwari W/O. Kannan		
24	Raja S/o. Srinivasan		
25	Manimegalai W/o. Seeralan		
26	Jayakumar S/o. Petchimuthu Nadar		
27	Sangeetha W/o. Sasikumar		
28	Prema W/o. Murugan		
29	Viji W/o. Ramesh		
30	Hari S/o. Gopal		
31	Bhakiyam W/o. Palanivel		
32	Sarala W/o. Ramesh		
33	Syed Hussain		
34	Rosy W/o. Nadarajan		
35	Kalyani W/o. Ramaiyah		
36	Shanthi W/o. Manimuthu		
37	Malliga W/o. Neelagandan		
38	Jamal Moidheen S/o. Abdul Wahab		
39	Sekar S/o. Periathambi		
40	Dhanabhakiyam W/o. Mani		
41	Senthil S/o. Jeyaraman		
42	Sivakumar Malarkodi		
43	Dhanam W/o. Raja	657/3A2	Corporation Patta transferred as Forest Patta
44	Subramani S/o. Kannan		
45	Syed Moosa S/o. Syed Abdul karim		
46	Krishnakumar S/o. Vasu		
47	Rajalakshmi W/o. Sureshkumar		
48	Raja S/o. Subbalah		
49	Dhanalakshmi W/o. Paramasivam		
50	Susila W/o. Elumalai		
51	Dillibabu S/o. Raj		
52	Ammakannu H/o. Renu		
53	Balakrishnan S/o. Jayaraman		
54	Govindharaji S/o. Azhagiri		
55	Dharmalingam S/o. Karuppanna		
56	Mangalam W/o. Mariappan		
57	Gopal S/o. Rathnavel		
58	Shanthi W/o. Dhurai		
59	Chithra W/o. Pitchandi		
60	Kala W/o. Balakrishnan		
61	Senthil Kumar S/o. Gopala		



62	Abdul Rahim S/o Moosa		
63	Thilagam W/o Sekar		
64	Veerazhagu S/o. Somasundharam		
65	Jyothi S/o. Murugan		
66	Perumal S/o. Chinnapaiyan		
67	Somasundharam S/o. Veeraiah		
68	Thirukumaran S/o. Somasundharam		
69	Nagapooshanam W/o. Krishnan		
70	Murugan S/o. Pandurangan		
71	Adhikesavan S/o. Rajagopal		
72	Giri S/o. Shanmugam		
73	Ravi S/o. Govindhasamy		
74	Vijayalakshmi S/o. Ravichandran		
75	Valarmathi W/o. Ravi		
76	Elumalai S/o. Govindhasamy		
77	Annamalai S/o. Koteeswaran		
78	Prasad S/o. Sathyanarayana		
79	Manigandan S/o. Arjunan		
80	Rajalakshmi W/o. Ramamurthy		
81	Ezhilarasan S/o. Dheenadhayan		
82	Jamuna W/o. Parthiban		
83	Senthilkumar S/o. Sekar		
84	Elumalai S/o. Angamuthu		
85	Mageshwaran (Late) W/o. Dhanalakshmi		
86	Velu S/o. Kanniyappan		
87	Saravanan S/o. Neelagandan	657/3A2	Corporation Patta transferred as Forest Patta
88	Sellammal W/o. Kaliaperumal		
89	Amudha W/o. Vasu		
90	Ravikumar S/o. Narayanan		
91	Samboornam W/o. Vedhachalam		
92	Thangam W/o. Mageshwaran		
93	Sundhari W/o. Gajendran		
94	Abdul Subhan S/o. Kapoor		
95	Musthapa S/o. Sulaiman		
96	Elumalai S/o. Rathnam		
97	Suguna W/o. Murugavel		
98	Mageshwari W/o. Ravi		
99	Ravi S/o. Munusamy		
100	Nallammal W/o. Chakravarthy		
101	Mangai W/o. Sekar (Late)		
102	Indira W/o. Muthukrishnan		
103	Girija W/o. Sudhakaran		
104	Veerapandian S/o. Ravi		
105	Hemalatha W/o. Govindharajan		
106	Karthikeyan S/o. Mani		
107	Govindharajan S/o. Veeraraghavan		
108	Naveenkumar S/o. Paramasivam		
109	Suresh S/o. Muthuvel		
110	Sekar S/o. Periathambi		
111	Srinivasan S/o. Mannu		
112	Manjula W/o. Bhaskar		
113	Sudha W/o. Merikrishnan		
114	Reka W/o. Kannan		
115	Mariappan W/o. Veerachamy		
116	Jaya W/o. Elumalai		
117	Lalitha W/o. Balaraman		
118	Muthu H/o. Sakifa		
119	Vijaya W/o. Selvam		
120	Ponnuthurai S/o. Sudalai Nadar		
121	Muniammal W/o. Murugan		
122	Manimegalai W/o. Kumar		



17

Sl.No.	Name of occupant	Survey No.	Remarks
123	Madhuram W/o. Subramani		
124	Balaji S/o. Kuppusamy		
125	Anbudevi W/o. Krishnakumar		
126	Govindharaj S/o. Kannan		
127	Lakshmi H/o Kuppan		
128	Sankaran S/o. Raman		
129	Ganapathy S/o. Ramasamy		
130	Dhanam S/o. Raja		
131	Elumalai S/o. Angamuthu	657/3A2	Corporation Patta transferred as Forest Patta
132	Veerazhagu S/o. Somasundharam		
133	Raji W/o. Munusamy		
134	Kamatchi W/o. Balaji Rao		
135	Sandhya W/o. Rajendrakumar		
136	Vazhvarasi W/o. Devaraj		
137	Kala W/o. Karunakaran		
138	Vijayakumari W/o. Velu		
139	Kannan S/o. Venkatasalam		
140	Shanthi W/o. Paramasivam		
141	Amudha W/o. Joseph pillai		
142	Manjunathan S/o. Sampath		
143	Mohan S/o. Dhurai		
144	Kumar S/o. Chinnadhurai		
145	Kuzhandhaivelu S/o Perumal		
146	Elumalai S/o. Thangavel		
147	Hariharan S/o. Kuppusamy		
148	Narayanan S/o. Narayanasamy		
149	Saravanan S/o. Govindharaj		
150	Mahalakshmi W/o. Sekar		
151	Saroja W/o. Ganapathy		
152	Sathishkumar S/o. Bangaru Naidu		
153	Latha W/o. Krishnan		
154	Seetha W/o. Paul		
155	Sugumar S/o. Ganapathy		
156	Govindhammal W/o. Bhaskaran		
157	Rajamanickam S/o. Arjunan		
158	Padmajyothi S/o. Kanagaraj		
159	Geetha W/o. Babu		
160	Muneeswari W/o. Ramasamy		
161	Anbu S/o. Senthamarakannan		
162	Saraswathi W/o. Moses		
163	Pushpa W/o. Chandramohan		
164	Annalakshmi W/o. Dhanraj		
165	Sundhar S/o. Balakrishnan		
166	Jyothi W/o. Kesavan		
167	Raman S/o. Pandiyan		
168	Palani S/o. Rangan		
169	Harikrishnan S/o. Balaraman		
170	Thilageshwari W/o. Gajendran		
171	Raji S/o. Kannan		
172	Annamaiai S/o. Chinnadhurai		
173	Chithra W/o. Palani		
174	Rani W/o. Thirunavukarasu		
175	Ayyappan S/o. Sakkarai	657/3A2	Corporation Patta transferred as Forest Patta
176	Selvam S/o. Chinnappa		
177	Manimegalai W/o. Sivakumar		
178	Jayaseeli		
179	Shanthi W/o. Arumugam		
180	Narayanan S/o. Egambaram		
181	Shanthi W/o. Arumugam		
182	Pitchai S/o. Subaiah pillai		
183	Kuppusamy S/o. Sudalaimuthu		
184	Ramajayam S/o. Chinnadhurai		



18

185	Arumugam S/o. Kasi		
186	Gayathri W/o. Sakthivel		
187	Karpagam W/o. Perumal		
188	Shankar S/o. Ganesan		
189	Thilagavathi W/o. Shanmugam		
190	Venkatesan S/o. Sellan		
191	Palani S/o. Velu		
192	Malliga W/o. Rathnam		
193	Murugan S/o. Chinnasamy		
194	Piyaribi S/o. Ismayil		
195	Linganathan S/o. Velu		
196	Rajkumar S/o. Murugesan		
197	Gomathi W/o. Shanmugam		
198	Kamalhasan S/o. Sandhanam		
199	Kannadhasan S/o. Sandhanam		
200	Jagan S/o. Kumar		
201	Kalaiselvi W/o. Radhakrishnan		
202	Sandhya W/o. Nandhakumar		
203	Sivanandham S/o. Sakthivel		
204	Govindhammal W/o. Velayutham		
205	Mary W/o. Anthonyraj		
206	Tamilarasi W/o. Venkatesan		
207	Jayanthi W/o. Rajendraprasad		
208	Vinayagar Koll		
209	Sathunavu Koodam		
210	Kuppusamy S/o. Koppull		
211	Arumugam S/o. Kuppusamy		
212	Sangeetha W/o. Venkatesan		
213	Anjanadevi W/o. Shankar		
214	Selvi W/o. Rajendran		
215	Nagarani S/o. Gurunathan		
216	Rajeshwari W/o. Munusamy		
217	Devika W/o. Elumalai		
218	Raman S/o. Dillibabu		
219	Sasikala W/o. Prabhakaran	657/3A2	Corporation Patta transferred as Forest Patta
220	Shanthi W/o. Arumugam		
221	Parimala W/o. Ramachandran		
222	Raj S/o. Sambasivam		
223	Kumari W/o. Rajagopalan		
224	Shankar S/o. Munusamy		
225	Krishnan S/o. Chinnalah pillai		
226	Selvam S/o. Madhurai		
227	Chinnadhurai S/o. Velan		
228	Revathi S/o. Saravanan		
229	Pasupathi S/o. Devaperumal		
230	Devaraj S/o. Govindhasamy		
231	Palani S/o. Arumugam		
232	Arumugam s/o. Kuppusamy		
233	Chinnalah S/o. Srinivasan		
234	Soundararajan S/o. Pandurangan		
235	Kannan S/o. Nadesan		
236	Durai S/o. Gobu		
237	Jyothi W/o. Ilango		
238	Vijaya W/o. Ravichandran		
239	Krishnamurthy S/o. Ramasamy		
240	Arumugam S/o. Sangaiya devar		
241	Prabhakaran s/o. Marimuthu		
242	Ashok kumar S/o. Azhagappan		
243	Suresh S/o. Ramamurthy		
244	Susila W/o. Baradhan		
245	Anbu S/o. Bhaskar		
246	Chinnakuzhandhai S/o. Arumugam		



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Sl.No.	Name of occupant	Survey No.	Remarks
247	Rani W/o. Desigan		
248	Kanchana W/o. Varadhan		
249	Shanmugasundharam S/o. Sarangabani		
250	Kuppammal W/o. Jayaraman		
251	Amudhagowri W/o. Shanmugasundharam		
252	Saroja W/o. Kabali		
253	Sakthiabirami W/o. Murthy		
254	ShanKar S/o. Madhurai		
255	Devendran S/o. Ellappan		
256	Ramesh s/o. Loganathan		
257	Arumugam W/o. Shankaran		
258	Sasikumar S/o. Shanthalingam		
259	Thirumal S/o. Anandhan		
260	Selvi W/o. Bhaskaran		
261	Vani W/o. Sekar		
262	Bhuvaneshwari W/o. Parthasarathy		
263	Senthil S/o. Thirumal	657/3A2	Corporation Patta transferred as Forest Patta
264	Muniyandi S/o. Ellappan		
265	Johnxavier S/o. Vincent		
266	Suresh S/o. Madhavan		
267	Ezhilraj S/o. Selvaraj		
268	Selvi W/o. Sakthivel		
269	Chithra W/o. Gunaseelan		
270	Muniandi S/o. Narayanan		
271	Sekar s/o. Chinnapaiyan		
272	Kalyani W/o. Thirunavukarasu		
273	Gopalakrishnan s/o. Veerappan		
274	Vinothkumar S/o. Sekar		
275	Kamatchi W/o. Perumai		
276	Ramesh S/o. Manogar		
277	Sathish S/o. Varadharajan		
278	Panchatcharam S/o. Govindhasamy		
279	Ilango S/o. Velusamy		
280	Saraswathi W/o. Rajendran		
281	Rajathi W/o. Meenatchisundharam		
282	Selvaraj S/o. Jayaraman		
283	Subramani S/o. Krishnan		
284	Arumugam S/o. Parasuraman		
285	Swaminathan S/o. Elumalai		
286	Sakkara S/o. Kannan		
287	Chinnathambi S/o. Kumarasamy		
288	Arumugam S/o. Chinnathambi		
289	Ramanidevi W/o. Babu		
290	Sadhasivam S/o. Subramani		
291	Dhamodharan S/o. Dharmalingam		
292	Alangaram W/o. Sandhiyagu		
293	Murugan S/o. Mariyappan		
294	Saravanan S/o. Dharmaraj		
295	Lurdhusamy S/o. Savarimuthu		
296	Arumugam S/o. Lakshmanan		
297	Viswambal W/o. Krishnan		
298	Selvi W/o. Karthik		
299	Meganathan S/o. Koothan		
300	Sivagami S/o. Aadhimoolam		
301	Ponraj S/o. Chithiraivel		
302	Kuppammal S/o. Kallaperumal		
303	Srinivasan S/o. Alagappan		
304	Sarathkumar S/o. Srinivasan		
305	Senthil S/o. Chandhiran		
306	Arjunan S/o. Kanniyappan		



307	Rajalakshmi W/o. Pavazhathamilzhhasan	657/3A2	Corporation Patta transferred as Forest Patta
308	Murugan S/o. Kadhiresan		
309	Rajan S/o. Nagarajan		
310	Gomathi W/o. Ganesan		
311	Egambaram S/o. Nadesan		
312	Suresh S/o. Egambaram		
313	Chandrasekar S/o. Egambaram		
314	Amsaveni W/o. Annamalai		
315	Sekar S/o. Narasimha Naidu		
316	Padmavathi W/o. Bhaskar		
317	Tamilarasi W/o. Subramani		
318	Suresh S/o. Ramasamy		
319	Kanniyammal W/o. Senthil		
320	Murugan S/o. Pandurangan		
321	Elumalai S/o. Sanjeevi		
322	Lakshmi W/o. Panneerseivam		
323	Murugan S/o. Thandavarayan		
324	Jaya W/o. Senguttuvan		
325	Ravikumar S/o. Krishnan		
326	Krishnaveni W/o. Ranjithkumar		
327	Kannan S/o. Veeraragu		
328	Srinivasan S/o. Mannu		
329	Sasibanu W/o. Kadhar		
330	Kamatchi W/o. Veerasami		
331	Pitchaiammal W/o. Murugesan		
332	Kanniyappan S/o. Veerayadhav		
333	Devi W/o. Saravanan		
334	Kanniyappan S/o. Ranganathan		
335	Jayaraman S/o. Santhalingam		
336	Shanmugasundharam S/o. Sarangabani		
337	Amlu W/o. Ramesh		
338	Jayalakshmi W/o. Rukmangadhan		
339	Elumalai S/o. Munusamy		
340	Saraswathi W/o. Sarangabani		
341	Karunakaran S/o. Radhakrishnan		
342	Johnbasha W/o. Janaki basha		
343	Perumal S/o. Santhanam		
344	Shankar S/o. Kannan		
345	Palani S/o. Chinnakulandhai		
346	Gopalakrishnan S/o. Sarangabani		
347	Selvi W/o. Marshal Sundharajan		
348	Prabhukumar S/o. Devaraj		
349	Seethalakshmi W/o. Ranga		
350	Manimegalai W/o. Seeralan		
351	Dhanasekaran S/o. Krishnan	657/3A2	Corporation Patta transferred as Forest Patta
352	Sellathurai S/o. Thangavel		
353	Mohan S/o. Ramanujam		
354	Abimannan S/o. Dhanapal		
355	Ansari S/o. Shagulhameed		
356	Devakotti S/o. Vellaiyan		
357	Revathi W/o. Elumalai		
358	Kumar S/o. Patchaiyappan		
359	Arul S/o. Padmanabhan		
360	Venkatesan S/o. Kaliyan		
361	Raman S/o. Karupaiah		
362	Venkatesan S/o. Kanniyappan		
363	Murugan S/o. Chinnappa		
364	Ranjeetham W/o. Selvam		
365	Chandrasekar S/o. Manickam		
366	Padmanabhan S/o. Loganathan		
367	Sathishkumar S/o. Sambath		



21

Sl.No.	Name of occupant	Survey No.	Remarks
368	Vijayakumari W/o. Chinnappa		
369	Nagamani W/o. Arumugam		
370	Murugan S/o. Devakotti		
371	Ramesh S/o. Kannan		
372	Rajamani S/o. Munusamy		
373	Ramu S/o. Nadesan		
374	Elumalai s/o. Arumugam		
375	Murugan S/o. Paramasivam		
376	Ilangoan S/o. Elumalai		
377	Nagarajan S/o. Marlappan		
378	Kanniyammal W/o. Dhurai		
379	Gomathi W/o. Ganesh		
380	Lakshmi W/o. Gandhi		
381	Adhikakshmi W/o. Selvaraj		
382	Velu S/o. Munusamy		
383	Suresh S/o. Egambaram		
384	Kasthuri W/o. Egambaram		
385	Jayapal S/o. Sambandham		
386	Govindharaj S/o. Nadesaudaiyar		
387	Ashok S/o. Balakotti		
388	Gokila W/o. Raji		
389	Thirumalai S/o. Balaraman		
390	Elumalai S/o. Subramani		
391	Senthamarai W/o. Elumalai		
392	Bhanumathi W/o. Azhagesan		
393	Rajendran S/o. C Raman		
394	Vasantha W/o. Palani		
395	Murugadass S/o. Thangavel	657/3A2	Corporation Patta transferred as Forest Patta
396	Usharani W/o. Vijayakumar		
397	Valli W/o. Jeevarathnam		
398	Rai W/o. Jeevarathnam		
399	Lakshmanan S/o. Shanthalingam		
400	Kumaran S/o. Govindhasamy		
401	Thangadhurai S/o. Devakotti		
402	Murugan S/o. Govindhasamy		
403	Shanthi W/o. Kuppasamy		
404	Mahalakshmi W/o. Chandrakumar		
405	Varadhan S/o. Shanthalingam		
406	J.K. Kumar S/o. Jayaraman		
407	Ramamoorthy S/o. Subramani		
408	Padmajyothi W/o. Kanagara		
409	Arjunan S/o. Selfaiah ram		
410	Saravanan S/o. Rathnam		
411	Kotteeswari w/o. Rangasamy		
412	Kalyani W/o. Johnson		
413	Rajeswari W/o. Rajamani		
414	Amaravathi W/o. Krishnan		
415	Sumathi W/o. Swaminathan		
416	Rani W/o. Desigan		
417	Elumalai S/o. Krishnamurthy		
418	Maharaja S/o. Pandian		
419	Kamatchi W/o. Balajirao		
420	Rani W/o. Muthu		
421	Muthulakshmi W/o. Rajendran		
422	Gayathri W/o. Shankar		
423	Rajamani W/o. Munusamy		
424	Paulthangan S/o. Ganesan		
425	Kala W/o. Senthil		
426	Sangeetha W/o. Murugan		
427	Narayanan S/o. Narayanasamy		
428	Iyappa saravanan S/o. Sellathurai		
429	Rajamani S/o. Senthurpandi		



22

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
(Criminal Jurisdiction)

Criminal Original Petition No.4413 of 2013

1. Lakshmanan
2. Azhagiri

...Petitioners/Accused ..

-Vs-

1. The Inspector of Police,  
Central Crime Branch - II  
Chennai  
Cr. No.62/2012  
And others

...Respondents

INTERIM REPORT OF THE ADVOCATE COMMISSIONER

I have been appointed as Advocate Commissioner as per the order dated 03.08.2017 in CrI. O.P.No.4413/2013. I have been directed to find out as to whether any new encroachment has been made behind NIOT and even in other areas also.

Pursuant to the above order I have fixed the date of inspection on (12.08.2017). I have commenced the inspection at 7.00 a.m. from Velacherry-Medavakkam Road. The following officials are present:

1. Mr. Ravikumar  
Forest Ranger Officer - Pallikaranai
2. Mr. Jeyaraj N.AEE, PWD
3. Mr. Magendrakumar, JE, PWD
4. Mr. Sivaram, Forester
5. Mr. Ramadoss-Retd. Range Officer  
Tech. Assistant Consultant

and Mr. Manoharan AGP is also present along with the officials.

23

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My second visit is on 26.08.2017. Mr.Vijendran, Advocate, Mr. Velumani, Advocate, representing Respondents 1 to 5, 7 to 8 along with the following officials, 1) Er.A.Muthaiya, Executive Engineer, WRD, Lower Palar Basin Division, Kancheepuram, 2) Er. G.Mahendrakumar, Junior Engineer, WRD, Irrigation Section, Padappai, 3) Er. N.Jagaraj (hydrologist) Assistant Exec. Engineer, WRD, Lower Palar Basin Division, Chengalpattu, and 4) Mithirin Jothi Pandian, ACF, Forest Department were present during the inspection.

Description of Marsh Land:

1. Pallikaranai is a wet land fresh water marsh in the city of Chennai. Pallikaranai marsh is the only surviving wet land eco system of the city and is among the few and last remaining natural wet land of South India.

2. The original expanse of marsh is estimated on the basis of the survey of India toposheet of 1972 and Aerial photographs, of 1965 was about 5500 hectares (14000 Acres) which has shrunk to about 600 Hectares (1500 Acres) (Source: Management Plan - Conservation of Pallikaranai Marsh, The Hindu dated 23.10.2011).

3. Pallikaranai Marsh is home to 115 species of birds, 10 species of mammals, 21 species of reptiles, 10 species of

24

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amphibians, 46 species of fishes, 9 species of Molluscans, 5 species of crustaceans and 7 species of butterflies. About 114 species of plants are found in the wet land which is inclusive of 29 species of grass.

OBSERVATIONS:

1. The Marsh land in the stretch of Velacherry-Medavakkam Road commences near Velacherry MRTS over bridge, I and the team commenced the inspection from this stretch near Velacherry MRTS station and stopped near the National Wind Energy Institute. Shortly known as NWEI. Near the NWEI, there is an excavation of the marsh land. When asked the officials informed that the excavation is going on for the formation of a Eco park. The back side of the proposed ECO Park site lies the Corporation Garbage dump yard. No document including permission to commence the project is shown to me. Already NWEI is in the midst of marsh land in the land allotted by the Government and any further allotment will affect the marsh land. The idea of an Eco Park behind a Corporation dump yard itself is to be reviewed. Today it may be an Eco-Park tomorrow there is a chance that the user may be changed. The character of the marsh land should be preserved as such there cannot be any further construction in

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the marsh land. The stretch from Velacherry MRTS over bridge upto National Institute of Ocean Technology and Ma Po Si Nagar adjoining the Velacherry-Medavakkam Road, needs to be protected. This phase of the Marsh land abuts the Velacherry-Medavakkam Main Road now an important busy Road, a target of encroachment. There must be a ban on the allotment of the marsh land in his stretch. This stretch is unprotected. The bund in this direction is strengthened recently. But it needs more protection and made encroachment free and allotment free.

2. On the south of National Institute of Ocean Technology (NIOT) the marsh extends to about 500 meters. I found a new formation of a Road. When asked the officers informed that steps are taken to strengthen the bund. I am told by the officers that Ma Po Si Nagar which is situated in S.No.657/3A1 described as Marsh land in the revenue records. So the entire Ma Po Si Nagar is an encroachment in the Marsh land. There are three streets, all the three streets consist of houses and commercial establishment are encroachments in the Marsh land. The proposed strengthening of bund itself is ill-planned. Between the proposed bund and the northern side of Ma Po Si Nagar there is a gap of 50 meters to a length of about 1/2 km. Refer photo in

26

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the volume titled Ma Po Si Nagar Pages 1 & 2. These lands are marsh land, by forming a bund leaving some portion of Marsh land will pave way for those 50 meters of marsh land between the proposed bund and the marsh will be encroached and it is like paving way for encroachment. The authorities must remove Ma Po Si Nagar encroachment and strengthen the bund which will protect the marsh land. If the encroachment is left untouched and the bund now formed will pave way for further encroachment.

3. From Ma Po Si Nagar we proceeded further to Kamatchiyamman Nagar situate at Marsh land S.No.657/3A2. Kamatchiyamman Nagar situate behind NIOT compound,, a vast stretch of marsh land is encroached. There is sign of expansion of encroachment. Nothing is done to prevent encroachment. TNEB has provided with EB connection. There was small drizzle of rain prior to our visit. I could find water stagnated all over the place. The encroachment is made in a large chunk of Marsh land. The compound walls of NIOT is a cover to make encroachment. Refer photos in the volume titled as Kamatchi Amman Nagar pages 2, 3 & 4.

4. From there we proceeded to Quaid-e-milleth Nagar. The encroachments are on the eastern side of Quaid-e-milleth

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Nagar. The survey number of this place is S.No.649. There is a lot of encroachment in this area. Patta is given in this Survey No. I was informed by the officials that the property is mortgaged in a bank and sold in auction through Debt Recovery Tribunal. Two major occupants in this area is occupied by Narayana Public School and another a chunk of land with a board Garden Grandia. These two premises the official said are patta land. The grant of patta is to be probed. These two lands show the nature of marsh land. The level of the land is raised by leveling with sand. These two lands will pave way for further encroachment and shrinking of the marsh land. Hence after verifying when patta was issued, the encroachment are to be removed in order to protect the marsh land. Then Mr.Vijendran Advocate took the entire team to the place where a board is installed and a claim is made that the land belongs to private party and a patta land. A mere look of this land will reveal that this land is situate in the marsh land. The grant of patta in the entire S.No.649 of Pallikaranai village is to be probed. A bund is to be raised to protect the marsh land. The depth of the recovered marsh land is to be increased in compatible with the existing depth of the marsh land so as to increase the water carrying capacity.

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5. From Quaid-e-Milleth Nagar we proceeded to Ambedkar Nagar which is situate in the marsh land S.No.657/3A3 3C and 3D. The entire Nagar is an encroachment in marsh land. Stones are planted to show that an unknown person has already occupied the vacant land. Kindly refer pages 1 to 4 with Volume of photos titled as Ambedkar Nagar. The encroachment from this area is going deep into the marsh. For certain distance the character of the marsh is lost due to encroachment. The officials accompanied me said that two civil suits viz. O.S.No.476/2009 & O.S.No.724/2009 are pending before the Learned Addl. District Munsiff Court-I, Alandur. The suit is filed by the encroachers. The encroachment from Ambedkar Nagar is to be removed immediately. This place shows a high potential for encroachment swallowing a major portion of the marsh land. The encroachment must be removed and the land must be restored to its original debth.

6. From Ambedkar Nagar we proceeded to Sholinganallur to Medavakkam Road. I have visited this place on 26.08.2017 alone. In the Marsh land S.No.534/4 & 534/5 opposite to the land allotted to the Chemozhi Park a mud road is formed. The road cut across the marsh and run to an extent of about 1 ½

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k.m. and reaches the Global Trust Hospital. From the marsh boundary there is gap of 30 meter to the one end of the mud road. This area between the marsh and the mud road will become an easy target for encroachment. Construction debris, plastic wastes are heaped on either side of the road. The photos submitted by me in the volume titled as Sholinganallur to Medavakkam road will reveal this. The road has to be removed immediately and the restoration processes must be initiated, we could see birds like Flamingo, Purple Moorhen, Whistling Teal, Grey Heron were sighted in this wet land. A bund must be erected and protected in this stretch. A constant vigil is to be carried out to prevent encroachment. This stretch also adjoin a main road and vulnerable for encroachment and needs protection..

7. From this place we proceeded to the ELCOT. The ELCOT industrial Park is situated in the marsh land. There is marsh in between the industries. In one of the Plots L&T is putting up construction. The soil excavated from the construction site is dumped in the marsh land abutting Cognizant. In the marsh land area we could see migratory birds. Hence this marsh land should be protected. The construction company L&T may be directed to remove the soil dumped in the marsh land. A direction may be issued to

ELCOT not to make any further allotment within the ELCOT premises. Even here, flocks of flamingo, spot filled ducks, coot were sighted. There are two entrances to ELCOT Premises, in the main gate all the public are allowed. Through the next entrance, the entry is restricted. I along with the photographer gained entry on 26.08.2017 and found that the marsh land water is pumped out by ELCOT Administration through sewage pipeline. The activity of ELCOT is to be monitored by TNPCB, the forest and revenue officials. If any construction is to made in the existing industries a ban must be imposed for from dumping the excavated earth.

8. On 30.08.2017 I along with the team visited Mahalakshmi Nagar situate at Marsh land S.No.657/3 to 3k. The entire Mahalakshmi Nagar is inside the marsh land. To demarcate the marsh land from the adjoining patta land boundary stones are erected. A watch tower is constructed but at the time of visit I could not find anyone in the Watch Tower. The officials informed that notice is given for removing the encroachers. The entire Mahalakshmi Nagar is an encroachment in the marsh land and hence it is to be removed and efforts to be taken to restore the marsh land. After removal the depth of the marsh land is to be increased so that

31

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the water carrying capacity of the marsh land will be increased.

9 I along with the team inspected K.P.Kandan Nagar and Beula Nagar and ~~Periya Muthalamman Nagar~~, K.P.Kandan Nagar is in S.No.658/1a, 21b of Pallikaranai village classified as marsh land. The entire K.P.Kandan Nagar is an encroachment in marsh land. K.P.Kandan Nagar lies adjoining Beula Nagar and Periya Muthalamman Nagar. The road to K.P.Kandan Nagar, Beula Nagar and Periya Muthalamman Nagar branches off from OMR Road proceeded towards MGR Road and link road and enter K.P.Kandan Nagar. The Beula Nagar and Periya Muthalamman Nagar situate in Survey No.714 & its all parts 715 & its all parts (except 715/1), 716 & its all parts, 717 & its all parts (except 717/2B1). 718, 719, 720,721, 722, 723, 724 & its all parts (except 724/1) are classified as Ryotwari Nanjai Patta land. The officials accompanied me confirmed that K.P.Kandan Nagar is an encroachment in the Marsh land. There are signs of new encroachment in K.P.Kandan Nagar. A temple is built in the 4<sup>th</sup> street of K.P.Kandan Nagar and from the temple towards the Marsh land encroachment expands, make shift huts are constructed. The make shift huts are empty but it is sign that

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the portion is encroached and an ostensible owner will come and perpetuate the encroachment. Like this, the Marsh land will be encroached. While I was inspecting Beula Nagar and Periya Muthalamman Nagar one D.R.Kumar, S/o.Duraiswamy, residing at 176, 4<sup>th</sup> Street, K.P.Kandan Nagar (West) explained that they have been settled by government in that area and he is trying to get patta. He produced me a copy of land survey register wherein efforts were made by the revenue officials to convert the Marsh land in S.No.658/1A into a Natham Poramboke whereby issue of patta will become easy. A direction may be issued to the revenue authorities not to alter the classification of the Marsh land. Any reclassification of the Marsh land is detrimental to the fragile water body.

With regard to Beula Nagar and Periya Muthalamman Nagar the Forest department has erected a boundary mark. The hydrologist has taken samples of water and gave a report and as per the report the water level at the time of flood is 3 metres and during other times it is 1 metre. The officials accompanied me also stated that Beula Nagar and Periya Muthalamman Nagar comes within a patta land gave me a Xerox copies of printed A Register, FMB Sketch. Since Beula

Nagar and Periya Muthalamman Nagar lies adjoining the marsh land and described as Nanja land the Forest Department can erect a mud bund separating the marsh land and the patta land.

10. After visiting all this places finally I have visited Survey No. 657/3A5 Pallikaranai Village. The road leading to private Engineering College is formed by dredging the Pallikarani marsh. The College ground show signs of marsh land because on the date of my visit I could see the growth of Reed in the College Play ground. The grant of patta to this Institution is to be probed. The road which is formed from the old Mahabalipuram Road, to the college by dredging the earth excavated from the marsh land is to be restored to its original position. The dredging is found in an article published in the journal of Environmental Biology July 2012 part Volume 33 (4) pages 757 - 761.

#### ENCROACHMENT AND POLLUTION

(A). The Pallikaranai Marsh experience heavy construction activity starting with the occupation by Chennai Corporation to an extent of 200 acres inclusive of 30 Acres where a sewage treatment and disposal facility for South Chennai is located within the marsh land. Further continuing

with the construction activity came the establishment of Centre for Wind Energy, National Institute of Ocean Technology, Chennai Mass Rapid Transport System, fly overs, roads, IT parks etc. The construction activity which affect that free flow of water, for example the formation of Radial Road cut a cross the marsh land whereby affecting the free flow of the water. Even though culverts are constructed, the culverts does not provide the natural flow of water. The culverts in this stretch carry only lechet from the Chennai Corporation dump yard to the marsh land.

(B). The sewerage treatment plant claim that it treat about 32 million litres of sewage. The officials present stated that the treated sewage water is drained into the Buckingham Canal through pipelines whether the sewage is treated regularly raises a serious doubt. On my first visit, there was no treatment of sewage, the reason is that there was a dispute between the contractor and the Chennai Metro Water and sewerage treatment authority which means that untreated sewage is let in to the marsh land or Buckingham Canal. On my second visit I found treatment of sewage was going on and as a process of treatment the partly treated sewage water is allowed to cool in a rejuvenation pit from where the sewage

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water is taken to Buckingham Canal. The rejuvenation pit forms part of the marsh land taking into account the volume of the sewage handled and no monitoring by any authority lead to the conclusion that untreated sewage is released in the marsh land and Buckingham Canal. On my visit on 26.08.2017 I noticed overflow of the sewerage before reaching the rejuvenation pit. The sewage treatment plant should not release water into Buckingham Canal. The sewage treatment plant must be shifted to some other place. Already certain research was conducted and finding published an Article titled as " Analysis of heavy metals in dying wet land Pallikaranai Tamilnadu India". Authored by Ms. Sridevi Karpagavalli, P. Malini, A. Ramachandran, Centre for Climate Change and Adaptation Research - Anna University. The finding is extracted hereunder to show the water quality,

"The quality of water has deteriorated due to the various anthropogenic activities. Most of the metal ions were seen in higher concentration compared to the standard. It has been observed that quality of surface water is not safe for aquatic and domestic life, hence necessary management action should be taken to control the quality of the surface water".

"If this trend is allowed to continue unabated it is most likely that the local food web complexes in these wetlands might be at the highest risk of induced heavy metal contamination. This alarming concentration may also escort management action should be taken in order to protect the ecological stability of the wet land".

Ramsar Convention

The Ramsar Convention on wet land is an international treaty for the conservation and sustainable use of wet lands. It is also known as the convention on wet land. It is named after the city of Ramsar in Iran where the convention was signed in 1971. India is also one of the signatory to the convention. As per this convention a list of wet lands were published. In India, totally 26 sites are published. In Tamilnadu, the only site published is Point Calimere Wildlife and Bird Sanctuary. There are certain conditions which are required to get published in the Ramsar list. In fact, the Government of Tamilnadu made an attempt in the year 2011 to include Pallikaranai marsh in the Ramsar list but could not succeed. Getting included in the Ramsar site confer the following benefits:-

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(i) to lay down policy guidelines for conservation and management of wet land

(ii) to undertake intensive conservation measures in priority

(iii) to monitor implementation of the programme

(iv) Financial assistance under NWCP (National Wetland Conservatory Programme) is provided for two components. i.e. Management Action Plan (MAP) and Research Projects. Under the Scheme, 100% assistance is provided for activities. Conservation and management of wetlands is primarily vested with the State/UTs, who are in physical possession of the area. After identification of wetlands under the Scheme, the State/UTs are to submit long-term comprehensive Management Action Plans (MAPs) for a period of 3-5 years, preferably 5 years, coinciding with the Plan period.

(v) Provides Frame work for National Action and International cooperation for the conservation and wise use of wetlands and their resources.

The inclusion of Pallikararai marsh in the Ramsar List will give a lasting solution and provide a mechanism to improve the biodiversity and ecosystem of the marsh. This will gain importance in view of the fact that the Government of

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India has now notified Wetlands (conservation and management) Rules 2017. Rule 3 of the, above said rule shall apply to

- (a) wetlands categorized as 'wetlands of international importance' under the Ramsar Convention;
- (b) wetlands as notified by the Central Government, State Government and Union Territory Administration;

And excluded the wetlands falling in areas covered under Indian Forest Act 1977, Wildlife (Protection) Act 1972, the Forest Conservation Act 1980.

This publication of Rules showing the importance of being in the Ramsar Convention. The above said Rules give a lot of protection to the marsh land and hence the Government must take immediate steps to include the Pallikaranai marsh land in the Ramsar list and implementation of the Wetlands (conservation and management) Rules 2017 .

All the encroachments in Ma Po Si Nagar, Kamatchiamman Nagar, Quaid-e-milleth Nagar, K.P.Kandan Nagar, Ambedkar Nagar and Mahalakshmi Nagar pose a threat to the marsh land because I could see the encroachment is going deep into the marsh obliterating the marsh land. In these areas there is consistent effort to convert

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the marsh land is going on unchecked. The encroachment must be removed and a protecting bund must be erected.

Little was done to protect marsh land. Immediate steps are required to protect the marsh land or the area of the marsh land will further reduced.

There is no segregation of Chennai Corporation dump yard and the marsh land. The dump yard must be separated from the marsh land. The Corporation of Chennai keep on dumping the garbage, taking into consideration the volume of garbage generated, space is required and so the area gets expanded.

There are culvert across radial road which carry leachet from the Chennai Corporation dumb yard which can destroy the marsh land and the bio diversity.

The first step for the restoration of the ecosystem of the marsh is to remove the encroachments and prevention of further encroachment. Encroachment can be prevented by taking adequate measure including restoration of the outer boundary of the marsh land. This can control the entry of unauthorized person. To meet this end a boundary has to be constructed around the entire marsh land in order to permanently mark the marsh land, prevent further

encroachment and help conservation activities. The boundary wall need to be designed so as not to disturb the natural flow of water, culverts/ channels can be made wherever necessary on the wall itself and the wall must suit the train of the marsh land. I understand that a similar exercise was carried out in the famous Keoladeo National Park, Bharatpur, formerly known as Bharatpur Bird Sanctuary in Bharatpur Rajasthan, a World heritage site. On construction of bund as stated above a Patrolling path around the boundary is to be made.

**RECOMMENDATION:**

1. As per the following GOs, pockets of marsh land are transferred to the Forest Department.
  - a. GO M.S. 52 E&F (FR-14) Department dated 09.04.2007 - extent transferred 317.00.0 hectares
  - b. GO M.S. 147 Revenue (LD-IV) Department dated 12.05.2014 - Extent 71.70.0 hectares
  - c. Area transferred from Chennai Corporation to Forest Department vide GO M.S.No.127 Municipal Administration and Water Supply (MC-1) department dated 24.12.2012 - extent allotted 17.40.5 hectares.
  - d. Area notified under Section 26 of 16 TNF Act published in Kancheepuram District Gazette No.6 dated 01.07.2013 to an extent of 131.55.0 hectares.

1. Thus the total extent transferred to the Forest Department is 690.65.5 hectares. All the areas must be transferred to the Tamil Nadu Forest Department.

2. The Government must take immediate step to include the Pallikaranai marsh in the Ramsar list.

3. All the encroachments in Kamatchiamman Nagar, Ma.Po.Si. Nagar, Quaid -e-mileth Nagar, Mahalakshmi Nagar, Ambedkar Nagar, K.P.Kandan Nagar, must be removed and the land to be restore to its original depth so that the water carrying capacity can be increased. It any other encroachment is identified that must also be removed.

4. The authorities must evolve immediate steps to strengthen the bunds of the marsh and make it a non-encroachments zone.

5. Allotment of marsh land by the Government to any individual or to any Government project must be banned.

6. The stretch commencing from Velacherry MRTS bridge in the Velacherry-Medavakkam Road upto Ma Po Si Nagar should be protected. The bunds should be strengthened and to be seen that no encroachment is made.

8. The debris dumping should be stopped immediately.

42

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9. There must be a monitoring of pollutants from all sources like water, air and soil must be carried out periodically by some independent Research Organization.

10. The Sewerage Treatment plant must be re located to some other area. The STP Plant must stop pumping of water into the Buckingham Canal .

11. The grant of patta in S. Ns. 649, 657, 697, 699, 700, 701 and 702 in all its parts and sub divisions are to be probed . The Revenue Authorities and Registration Authorities must submit a report to this Hon'ble Court how the pattas are transferred, title of the respective parties for taking further action.

12. Their must be construction of bund around the entire marsh land in order to permanently mark the marsh land to prevent further encroachment. Along with the bund a patrolling path is to be made.

13. The dredged over burden in S. No. 657/3A5 made to make a road for a private Engineering College has to be removed and the entire area is to be restored to its original state.

14. All channels connecting the marsh land with its tributaries and distributaries has to be connected with the marsh land to sustain the eco development of the marsh.

43

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15. The field staff of the Tamilnadu Forest Department need to be increase so as to make a effective patrolling and preventing and conserving the marsh land.

16. Section 47 A Tamil Nadu Town and Country Planning Act 1971 state that for Development of any wetland prior permission of the District Collector is required. This Provision is to be implemented in its entirety.

I may be given some time to submit a final report making further recommendations.

Dated at Chennai on this the 29<sup>th</sup> day of November, 2017.

R. Ramallaal  
Advocate Commissioner

44

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

Original Application No.589/2018 (SZ)  
(M.A.No.1317/2018) in  
(Earlier O.A.No.51/2016)

And

Original Application No.588/2018 (SZ)  
(Earlier O.A.No.83/2014)

Suo-Motu Application- News item  
Published in the Times of India  
Chennai Edition Dated 07.03.2016  
(Dumping building Debris behind Pallikaranai  
Marsh Land)

Applicant(s)

Versus

The Principal Secretary to the Government,  
Dept. of Environment and others  
Respondent(s)

V. Meganathan

Applicant(s)

Versus

The Chief Secretary,  
Government of Tamilnadu and others  
Respondent(s)

**STATUS REPORT FILED BY THE 10<sup>TH</sup> RESPONDENT IN**  
**O.A.No.83/2014**

I V.Subbaih, S/o. Vallivel, aged about 50 years, employing as  
District Forest Officer, Chennai Division, Chennai do solemnly affirm and  
sincerely state as follows.

h  
DISTRICT FOREST OFFICER  
CHENNAI FOREST DIVISION  
CHENNAI-600 006.

  
பள்ளிக்கரண வனசேரமம்  
சென்னை-600 097.

45

1. It is respectfully submitted that I am the District Forest Officer, Chennai and in-charge of Pallikaranai Marsh Land. I am well acquainted with the facts of the case based on records. It is submitted that since the Pallikaranai Marsh Land area is within the Forest Department under the jurisdiction of District Forest Officer, Chennai, this respondent would be the proper person to submit this status report and not the District Forest Officer, Kanchipuram, who has been arrayed as 10<sup>th</sup> respondent in O.A.No.83 of 2014.

2. I am filing this status report based on the orders passed by this Hon'ble Tribunal in its order Dated.18.02.2019, in which it is ordered that,

*"During the course of submission, it was brought to our notice that certain litigations are pending before the Hon'ble High Court of Madras regarding the wetlands and certain directions have been given in that case. It is also not known as to whether this particular area have been notified or not as a wetland and if so the official respondents are directed to produce the notification showing the boundaries and the extent. They have also directed to file a detailed statement regarding the nature of litigation pending before the Hon'ble High Court of Madras relating to this issue. The Corporation is also directed to submit the present state of implementation Solid Waste Management Rules and also establishment of STP's and CETP's within three weeks."*

3. It is respectfully submitted that the following marsh lands were handed over to Forest Department and these lands were under the administrative control of Forest Department. It is also respectfully submitted that these lands are not notified as wetlands.

26

Sl. No	G.O.Nos & Date	Survey Nos.	Area	Received from	Under Section of TNF Act 1882
1	G.O.Ms.No. 52 E & F (FR-14) department dated 09.04.2007	Pallikaranai		Revenue Department	Declared as Reserved Forest under section 16 of Tamil Nadu Forest Act vide G.O.(Ms).No.62 E&F (FR-14) Department dated 10.05.2018
		657/3E	0.40.5		
		657/3C,3D,3F to 3K	3.53.0		
		657/3A3	133.00.0		
		453/2C	26.06.0		
		432/1	56.55.0		
		429/2	26.21.5		
		433/1A to 1 H	34.28.5		
		433/2A to 2F			
		444/2	0.39.0		
		434/3	6.87.0		
		430	16.49.5		
		431	13.20.0		
	<b>317.00.0</b>				
2	G.O.Ms.No.12 7 Municipal Administration & water supply (MC-I) department dated 24.12.2012	Pallikaranai		Chennai Corporation	Proposals under Section 4 of TNF Act 1882 was sent to the Government.
		657/1B3	48.02.5		
		657/3A2	122.38.0		
			<b>170.40.5</b>		
3	G.O.Ms.No.14 7 Revenue (LD - IV) department dated 12.5.2014	Sholinganallur		Revenue Department	Declared Under Section 4 of TNF Act 1882 vide G.O. (Ms).No.90 E & F (FR-14) Department dated 19.07.2017.
		602/7 & 8	55.19.0		
		Perumpakkam			
		534/4	20.74.0		
	<b>75.93.0</b>				
4	Kancheepuram District Gazette No.6 dated 01.07.2013	Pallikaranai		Revenue Department	Declared as Reserved Land under Section 26 of TNF Act 1882
		658/1A	34.84.0		
		657/1A	80.91.0		
		657/4A	04.89.5		
		657/4C	10.90.5		
	<b>131.55.0</b>				
		<b>694.88.5 Ha.</b>			
	<b>Total Area</b>		<b>1717.098 Acre</b>		

  
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247

4. It is respectfully submitted that 34 numbers of writ petitions were filed challenging the transfer of the marshland to the Forest Department. Out of these 34 writ petitions 23 writ petitions were disposed of. The list of disposed cases is annexed herewith as **Annexure-I**. The remaining 11 Number of writ petitions are still pending before the Hon'ble High Court of Madras. The list of pending cases is annexed herewith as **Annexure-II**. Apart from this the following two cases are pending before this Hon'ble Tribunal.

- i. Application No.51 of 2016 – Suo Motu.
- ii. Application No.83/2014 filed by Thiru. V.Meganathan.

5. It is respectfully submitted that the particular area mentioned in the Suo-Motu Application O.A.No.51/2016 belongs to the S.No.714 to 721 of Pallikaranai Survey village. These survey numbers are private patta lands as per the Revenue Department records and were not handed over to the Forest Department.

6. It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to record the submissions and pass such order or orders as this Hon'ble Tribunal may deem fit and proper in the interest of Justice.

Solemnly affirmed at Chennai on  
this the day of March 2019 and  
signed his name in my presence

  
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**BEFORE ME**

  
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**The list of dismissed/disposed cases Annexure-I.**

48

Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
1	15316	2009	Lakshmi W/o Ragunathan	1. District Forest Office, Kancheepuram. 2. Forest Range Officer, Tambaram	Fore barring the respondent not to interfering with petitioner peaceful possession and enjoyment of pallikaranai in S.No.429/2A.	10.09.09	No order issued. Petition closed.	No such survey No in Pallikaranai Village Hence no further action.
2	23413	2009	C. Ramalingam & 60 others	1. District Collector, Kancheepuram. 2. District Forest Officer, Kancheepuram. 3. Forest Ranger, Tambaram.	Prohibiting the respondents 2 & 3 from forcibily evicting all the petitioners from pallikaranaiPor omboke land S.No.432/2	27.11.09	The court not inclined to grant the relief sought by the petitioners - Dismissed	Possession with Forest Department . No action needed.
3	5497	2010	R. Arul, President, AnnaiTerasa Nagar, Occupent Welfare Association	1. Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram. 3. Conservator of Forests, Chennai. 4. Secretary, Rural development & local administration.	Seeking patta	25.03.10	Collector to consider the individual representation within 3 weeks	Possession with the Forest Department
4	5498	2010	SubbarajPresidentBharathidasan Nagar, Occupent Welfare Association	1. Tahsildhar, Sholinganallur.2. District Collector, Kancheepuram.3. Conservator of Forests, Chennai.4. Secretary, Rural development & local administration.	Seeking patta	25.03.10	Collector to consider the individual representation within 3 weeks	Possession with the Forest Department
5	5499	2010	P. Veeramuthu, President, ArignarAnna, Occupent Welfare Association	1. Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram. 3. Conservator of Forests, Chennai. 4. Secretary, Rural development & local administration.	Seeking patta	25.03.10	Collector to consider the individual representation within 3 weeks	Possession with the Forest Department

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Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
6	5500	2010	K. Subramani, President, Dr. B.R. Ambedhkar, Occupent Welfare Association	1. Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram 3. Conservator of Forests, Chennai. 4. Secretary, Rural development & local administration	Seeking patta	25.03.10	Collector to consider the individual representation within 3 weeks	Possession with the Forest Department
7	12963	2010	E. Devaki, W/o Elumalai,	1. The Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram 3. Conservator of Forests, Chennai. 4. Secretary to Government, Forest Department. 5. Principal Secretary, AadhiDravidar & Tribal Welfare Department, Chennai.	To refrain from dispossessing or otherwise interfering with the petitioner's possession of 40 acres land S.No 429/2	13.07.10	Not to take Possession of the property from the petitioner without following deprocess of law.	Eviction notice issued/ Possession with Forest Department
8	12964	2010	R.Palani, S/o Raja Manickam	1. The Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram. 3. Conservator of Forests, Chennai. 4. Secretary to Government, Forest Department 5. Principal Secretary, AadhiDravidar & Tribal Welfare Department, Chennai.	To refrain from dispossessing or otherwise interfering with the petitioner's possession of 60 acres land S.No 433	13.07.10	Not to take Possession of the property from the petitioner without following deprocess of law.	Eviction notice issued/ Possession with Forest Department
9	12965	2010	D. Easupadam, S/o Durai Raj.	1. The Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram. 3. Conservator of Forests, Chennai. 4. Secretary to Government, Forest Department. 5. Principal Secretary, AadhiDravidar & Tribal Welfare Department, Chennai.	To refrain from dispossessing or otherwise interfering with the petitioner's possession of 40 acres land S.No 429/2	13.07.10	Not to take possession of the property from the petitioner without following deprocess of law.	Eviction notice issued/ Possession with Forest Department

49

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CHENNAI-600 006.

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50

Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
10	12966	2010	G. Mari S/o Govindan	1. The Tahsildhar, Sholinganallur. 2. District Collector, Kancheepuram. 3. Conservator of Forests, Chennai. 4. Secretary to Government, Forest Department. 5. Principal Secretary, AadhiDravidar & Tribal Welfare Department, Chennai.	To refrain from dispossessing or otherwise interfering with the petitioner's possession of 60 acres land S.No 429/2	13.07.10	Not to take position of the property from the petitioner without following deprocess of law.	Eviction notice issued/ Possession with Forest Department
11	19147	2009	A. Rajendra Babu & 27 others	1. District Collector, Kancheepuram. 2. District Forest Officer, Kancheepuram. 3. Tahsildhar, Tambaram. 4. Executive Officer, Pallikaranai Village Panchayath office.	Not to demolish the buildings from the lands and the respective plots S.No. 657/3 Senthamil Nagar, Pallikaranai	07.09.10	No direction dismissed	Possession with Forest Department
12	10862	2010	Lakshmi W/o Ragunathan	1. District Forest Officer, Kancheepuram. 2. Forest Range Officer, Tambaram	Fore barring the respondent from putting up fencing along with line AB shown in the sketch of the southern boundary line S.No. 429/2A	20.10.10	Petition closed	No such survey No. in Pallikaranai Village. Hence no further action.
13	24316	2010	B. Mary	1. Secretary to Government, E & F, Chennai. 2. Secretary to Government, Revenue Department. 3. District Collector, Kancheepuram. 4. Tahsildhar (land acquisition) Tambaram. 5. Special Tahsildhar (Forest settlement), Thiruvallur. 6. District Forest Officer, Kancheepuram. 7. Forest Range Officer, Tambaram. 8. Tahsildhar, Sholinganallur.	Forebarring the respondent from interfering with peaceful possession and enjoyment of the petitioner of the land and building in S.No. 657/3A3 Mettukuppam, Pallikaranai.	24.11.10	Writ petition is dismissed as withdrawn.	Possession with Forest Department



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CHENNAI-600 097.

Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
14	8204	2011	New life trust by its president K. Karunanidhi	1. District Collector, Kancheepuram. 2. Revenue Divisional Officer, Tambaram. 3. Tahsildhar, Sholinganallur. 4. District Forest Officer, Kancheepuram.	Assignment of lands in S.No. 657 & 658 Pallikaranai Village to 200 poor families.	15.11.11	Writ petition Dismissed	Possession with Forest Department
15	17233	2009	M. Indira & 38 others	1. Secretary to Government, E & F, Chennai 2. Secretary to Government, Revenue Department. 3. District Collector, Kancheepuram. 4. Tahsildhar (land acquisition) Tambaram. 5. Special Tahsildhar (Forest Settlement) Thiruvallur.	G O No. 52 E & F 09.04 2007 & TamilNadu Government Gazette in No.15 dated 18.04.2007 Quash the same and further forebarring the respondent from interfering the peaceful possession of land 657/3A2 & 657/3A3 Mettukuppam, Pallikaranai	07.03.12	The petitioners are not entitled for any relief. Which they ask for and the court directed the petitioners make the claims before FSO. On receipt of such claims the FSO concerned is directed to consider the same and pass appropriate orders there on in accordance with law within 2 months here after.	The FSO made enquiries on the claims received and dismissed all the claims for not having valid documents. The eviction process under progress.
16	20469	2009	M. Indira	1. Secretary to Government, E & F, Chennai. 2. Secretary to Government, Revenue Department. 3. District Collector, Kancheepuram. 4. Tahsildhar (land acquisition) Tambaram. 5. Special Tahsildhar (Forest Settlement) Thiruvallur. 6. Village Administrative Officer, Pallikaranai. 7. Inspector of Police, Pallikaranai.	Forebarring the respondents from interfering with the peaceful possession and enjoyment of the land and building situated in S.No. 657/3A2 & 657/3A3 Mettukuppam, Pallikaranai.	07.03.12	The petitioners are not entitled for any relief. Which they ask for and the court directed the petitioners make the claims before FSO. On receipt of such claims the FSO concerned is directed to consider the same and pass appropriate orders there on in accordance with law within 2 months here after.	The FSO made enquiries on the claims received and dismissed all the claims for not having valid documents. The eviction process under progress.

52

Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
17	21261	2009	Varasakthi Vinayagapuram kudirupuram Common welfare Association by its president Selvakumar & 59 others.	1. Secretary to Government, Revenue Department. 2. Special Commissioner, Commission of land Administration, Chennai. 3. District Collector, Kancheepuram. 4. District Revenue Officer, Kancheepuram. 5. Tahsildhar, Tambaram. 6. Executive Officer, Town Panchayath Pallikaranai. 7. District Forest Officer, Kancheepuram.	On directing the 5th respondent to issue free outside patta to all the petitioners in S.No. 429/2 Pallikaranai	07.03.12	The petitioners are not entitled for any relief. Which they ask for and the court directed the petitioners make the claims before FSO. On receipt of such claims the FSO concerned is directed to consider the same and pass appropriate orders there on in accordance with law within 2 months here after.	The FSO made enquiries on the claims received and dismissed all the claims for not having valid documents. The eviction process under progress.
18	7941	2010	Lakshmi & 54 others	1. Secretary to Government, E & F, Chennai. 2. Secretary to Government, Revenue Department. 3. District Collector, Kancheepuram. 4. District Forest Officer, Kancheepuram. 5. Forest Ranger, Tambaram. 6. Tahsildhar (Land acquisition) Tambaram. 7. Special Tahsildhar, Forest Settlement, Thiruvallur. 8. Inspector of Police, Okkiyam, Duraipakkam.	To in punched order in G.O. Ms. No. 52 E & F (FR-14) dated. 09.04.2007.	07.03.12	The petitioners are not entitled for any relief. Which they ask for and the court directed the petitioners make the claims before FSO. On receipt of such claims the FSO concerned is directed to consider the same and pass appropriate orders there on in accordance with law within 2 months here after.	The FSO made enquiries on the claims received and dismissed all the claims for not having valid documents. The eviction process under progress.

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Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
19	1849	2012	Lakshmi & 92 others	1. Secretary to Government, Revenue Department. 2. District Collector, Kancheepuram. 3. Tahsildhar, Sholinganallur. 4. Special Tahsildhar, Thiruvallur.	Forebearing the respondents for interfering with and peaceful possession of the land in S.No 657/3A3 & 657/3AK at Mettukuppam, Pallikaranai	12.06.12	The petitioner to submit their individual representation to the 2nd respondent within period of 4 weeks and hereafter the 2nd respondent considered the representations and pass appropriate orders as per law. If the 2nd respondent finds from the Revenue Records available that the lands in question. The representation of the petitioners shall be forwarded to the settlement officer, concerned, notified U/s 4 of TNF Act 1882 and the same should be consider by the said authority and appropriate of the orders passed theiron as expeditiously as possible.	The FSO dismissed all the claims in his proceedings No. 78/2007/FSO. Dt. 18.10.12 as per the direction issued in WP.No. 17233/2009 on 07.03.12
20	23747	2012	B. Vasanthi	1. Secretary to Government, Revenue Department. 2. Chairman - Cum- Managing Director, TamilNadu slum Clearance Board, Chennai 3. District Collector, Kancheepuram. 4. District Forest Officer, Kancheepuram. 5. Tahsildhar, Sholinganallur. 6. Forest Range Officer, Pallikaranai.	Directing the 3rd respondent to consider the representation dated 11.07.2012 not to disturb the petitioners normal life and pass orders in connection with S.No. 657/3A3 Part Pallikaranai.	20.09.12	The petitioner to submit their individual representation to the 3rd respondent within period of 4 weeks and thereafter it is for the 3rd respondent to considered the representations and pass appropriate orders as per law. If the 3rd respondent finds from the Revenue Records available that the lands in question. The petitioners making the claims to the settlement officer concerned for passing appropriate orders as expeditiously disposed.	The FSO dismissed all the claims in his proceedings No. 78/2007/FSO. Dt. 18.10.12 as direction given by the Hon'ble High Court in WP.No. 17233/09 on 07.03.12

  
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Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
21	23748	2012	A. Bhuvaneshwari	1. Secretary to Government, Revenue Department. 2. Chairman - Cum- Managing Director, TamilNadu slum Clearance Board, Chennai. 3. District Collector, Kancheepuram. 4. District Forest Officer, Kancheepuram. 5. Tahsildhar, Sholinganallur 6. Forest Range Officer, Pallikaranai.	Directing the 3rd respondent to consider the representation dated 11.07.2012 not to disturb the petitioners normal life and pass orders in connection with S.No 657/3A3 Part pallikaranai.	20.09.12	The petitioner to submit their individual representation to the 3rd respondent within period of 4 weeks and thereafter it is for the 3rd respondent to consider the representations and pass appropriate orders as per law. If the 3rd respondent finds from the Revenue Records available that the lands in question. The petitioners making the claims to the settlement officer concerned for passing appropriate orders as expeditiously disposed.	The FSO dismissed all the claims in his proceedings. No. 78/2007/FSO. Dt. 18.10.12 as direction given by the Hon'ble High Court in WP.No. 17233/2009 on 07.03.12
22	12231	2012	Ramesh Manikandan	1. The Chief Secretary, Government of TamilNadu. 2. The Director General of Police, Mylapore. 3. District Collector, Kancheepuram. 4. Commissioner of Police, Chennai. 5. Revenue District Officer, Kancheepuram. 6. Deputy Commissioner of Police, Adyar. 7. Assistant Commissioner of Police, Duraipakkam. 8. The Inspector of Police, Duraipakkam. 9. Executive Officer, Perungudi, Town Panchayath. 10. Village Administrative Officer, Kandhanchavadi, Perungudi. 11. K.P. Kandhan, MLA 12. The Divisional Engineer, TNEB, Taramanai. 13. The Assistant Divisional Engineer, TNEB, Taramanai. 14. The Assistant Engineer, TNEB, Kandhanchavadi, Perungudi. 15. Secretary to Government, E & F, Chennai. 16. Principal Chief Conservator of Forests, Panagal Building, Chennai.	To take appropriate action regarding Marsh Land encroachment all so for continuous saving the Marsh Land all over TamilNadu from the land grabbers.	17.01.13	It is clear that the authorities of pursuing action to protect to the Marsh Land enforcing the provision of various acts and the orders of the Hon'ble Apex Court as well as this court.	The Forest Department take necessary action to protect and conserve the Pallikaranai Marsh Land as per the relevant Acts of 1882.

Sl. No	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of judgment	Details of direction of the judgment order	Details of action taken.
23	33873	2013	Arjunan	1. Secretary to Government, Municipal Administration & Water Supply Department 2. The Commissioner of Corporation, Chennai. 3. Principal Chief Conservator of Forests, Saidapet. 4. District Collector, Kancheepuram. 5. The President, Pallikaranai Town Panchayath.	To issuing impunched G.O. Ms.No 127 Municipal Administration & Water Suply (MC I Department dated 24.12.2012 in so for as it relates to assigning of lands comprised in S.No. 657/3A2 and Quash the same.	14.02.14	There was no Representation on behalf of the petitioner and Non-appeared on behalf of the petitioner the petition is dismissed.	Eviction notice issued/Possession with Forest Department.

*Arjunan*

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DISTRICT FOREST OFFICER  
CHENNAI FOREST DIVISION  
CHENNAI-600 006.

## The list of pending cases Annexure-II.

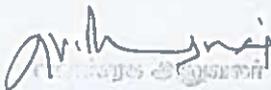
Sl. No.	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of filing of counter affidavit in court. (with USR No.)	Present stage of the case	Details of action taken.
1.	20866	2012	D. Balu & 384 others	1. Secretary to Government, Revenue Department. 2. Secretary to Government, Urban and Housing Development Department. 3. The Chairman - cum- Managing Director, Slum Clearance Board. 4. The Commissioner, Corporation of Chennai. 5. The District Collector, Kancheepuram District. 6. The Forest Officer, Kancheepuram District. 7. The Forest Ranger, Velachery. 8. The Tahsildhar, Sholinganallur Taluk.	Not interfering possession in S.No. 457/3A3 & to provide free shelter to the petitioner by under Raysh Scheme	Filed	Pending	
2	32905	2013	1. Syed Dasthagir 2. Naushal 3. K. Shanthi 4. Khurshed Begum	1. The Commissioner for Land Administration, Chepauk. 2. The Secretary to Government, Environment and Forest Department. 3. The District Forest Officer, Kancheepuram District. 4. The Tahsildhar, Tambaram. 5. The Civilian Gazetted Officer, Sailors and Airmans Board.	Quash G.O. Ms.No. 52 E & F (FR-14) dt. 09.04.2007.	Filed	Pending	
3	22902	2014	M. Jarina	1. Secretary, Rural Development & Local Administration. 2. District Collector, Kancheepuram. 3. The Tahsildhar, Sholinganallur. 4. Conservator of Forests, Teynampet, Chennai.	Directing 2nd respondent to grant patta in S.No. 657/3	Filed	Pending	



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CHENNAI-600 006.

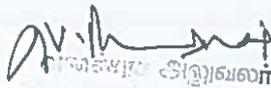
57

Sl. No.	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of filing of counter affidavit in court. (with USR No.)	Present stage of the case	Details of action taken.
4	22903	2014	Chenaram	1. Secretary, Rural Development & Local Administration. 2. District Collector, Kancheepuram. 3. The Tahsildhar, Sholinganallur. 4. Conservator of Forests, Teynampet, Chennai.	Directing 2nd respondent to grant patta in S.No. 657/3	Filed	Pending	
5	22904	2014	L. Anthony Samy	1. Secretary, Rural Development & Local Administration. 2. District Collector, Kancheepuram. 3. The Tahsildhar, Sholinganallur. 4. Conservator of Forests, Teynampet, Chennai.	Directing 2nd respondent to grant patta in S.No. 657/3	Filed	Pending	
6	22905	2014	Jeyasingh	1. Secretary, Rural Development & Local Administration. 2. District Collector, Kancheepuram. 3. The Tahsildhar, Sholinganallur. 4. Conservator of Forests, Teynampet, Chennai.	Directing 2nd respondent to grant patta in S.No. 657/3	Filed	Pending	
7	22906	2014	Chakara varthy	1. Secretary, Rural Development & Local Administration. 2. District Collector, Kancheepuram. 3. The Tahsildhar, Sholinganallur. 4. Conservator of Forests, Teynampet, Chennai.	Directing 2nd respondent to grant patta in S.No. 657/3	Filed	Pending	
8	693	2015	M. Satha sivam & 61 others	1. Additional Chief Secretary, Municipal Administration & Water Supply. 2. The Commissioner, Corporation of Chennai. 3. Principal Chief Conservator of Forests, & Wild Life Warden, Chennai. 4. District Forest Officer, Kancheepuram.	Quash G.O. Ms.No. 127 Municipal Administration & Water supply (MC-1) Dt.24.12.2012 & Delete the encroachment area.	Filed	Pending	

  
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Sl. No.	W.P. No.	Year	Name of Petitioner	Name of Respondents(all)	Subject (within 5 words)	Date of filing of counter affidavit in court. (with USR No.)	Present stage of the case	Details of action taken.
9	11515	2015	Dr. Ambedkar Nagar, Residents Welfare Association & 33 members	1. Chairman, TamilNadu Electricity Board, Chennai. 2. Assistant Engineer, TNEB, Pallikaranai. 3. District Collector, Kancheepuram. 4. District Forest Officer, Kancheepuram.	To give electricity connection encroached to houses in S No. 657/3A3	Filed	Pending	
10	12653	2017	Suo-motu	1) Union of India, 2) Central Wetland Regulatory 3) Union of India 4) Union of India 5) Government of Tamilnadu 6) Government of Tamilnadu 7) Government of Tamilnadu 8) Government of Tamilnadu 9) The District Collector	Public Interest Litigation	Filed	Pending	
11	25223	2017	Kalamin Agni Sirahugal Trust Rep. by its Secretary M.Senthil Kumar, Chennai-18	1) Union of India, 2) The Government of Tamil.Nadu, 3) The Commissioner 4) The District Collector, 5) The Tashildar, 6) The Conservation Authority of 7) The District Forest Officer 8) The Inspector General of 9) The Deputy Registration 10) The Sub Registrar Office 11) The Joint Director 12) M/s: I.G.3 Info Ltd., 13) M/s: Axis Trustee Service	Public Interest Litigation	Filed	Pending	

  
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DISTRICT FOREST OFFICER  
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CHENNAI-600 006.

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

59

Original Application No.589/2018  
(SZ)  
(M.A.No.1317/2018) in  
(Earlier O.A.No.51/2016)

And

Original Application No.588/2018  
(SZ)  
(Earlier O.A.No.83/2014)

**STATUS REPORT FILED BY THE  
10<sup>TH</sup> RESPONDENT IN  
O.A.No.83/2014**

dated  
3/19

**Addl. Govt. Pleader (Forests)**

அனுப்புநர்  
பொது தகவல் அலுவலர்  
தலைமையிடத்து துணை வட்டாட்சியர்,  
சோழங்கநல்லூர் வட்டம்.

பெறுநர்  
Beluah Nagar & Periya  
Mutharamman Nagar Plot Owners  
Welfare Association,  
எண்.176, 4வது தெரு, கே.பி.கே  
நகர், பெருங்குடி, சென்னை-96.

த.அ.உ.ச.(2005) மனு எண். 92/2019/B1 நாள் 22 /03/2019

அய்யா

பொருள்: தகவல் அறியும் உரிமைச் சட்டம் 2005 - சோழங்கநல்லூர் வட்டம்  
-தகவல் அறியும் உரிமைச்சட்டம் 2005-ன் கீழ் திரு. ராமநாதன்  
மனு செய்துள்ளது - தகவல் வழங்குவது -- தொடர்பாக.

பார்வை: 1). தங்களின் மனு நாள்.27.02.2019.  
(இவ்வலுவலகத்தில் பெறப்பட்ட மனு நாள்.29.2.2019).

.....XXXXXX.....

தகவல் அறியும் உரிமைச்சட்டம் 2005 பிரிவு 6 (1)ன் கீழ் பார்வை 1-ல் காணும்  
விண்ணப்பத்தில் கோரிய பள்ளிக்கரணை கிராமம் புல எண்.721-ல் புஞ்சை எனவும், புல  
எண்.714, 715, 716, 717, 718, 719 மற்றும் 720-ல் நஞ்சை எனவும் என தெரிவித்துக்  
கொள்கிறேன்.

இணைப்பு:- மேற்படி

தங்கள் நம்பிக்கையுள்ள

பொது தகவல் அலுவலர் /  
தலைமையிடத்து துணை வட்டாட்சியர்,  
சோழங்கநல்லூர் வட்டம்









சீர்திருத்தப் பணிகளின் விவரம்	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
708	0011	010	1021	1021	1021	56600 கல் (வ)	1590/1590	715		
709	0020	020	1082	1082	1082	விசுவநாதர் சிவசாமிநாதர்				
710	0010	010	1082	1082	1082	K-மணி (2)				
711	0005	010	1097	1097	1097	B.பர சிவசாமிநாதர்				
712	0005	010	1098	1098	1098	க. சிவசாமிநாதர்				
713	0005	010	1099	1099	1099	R சிவசாமிநாதர்				
714	0011	030	1567	1567	1567	S. சிவசாமிநாதர்				
715	0011	030	1568	1568	1568	R சிவசாமிநாதர்				



65

இரண்டாம் பாகம்	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
708	43	0013	020	1567	1567	S சிவசாமிநாதர்				
709	44	0006	010	1568	1568	சிவசாமிநாதர்				
710	45	0010	010	1569	1569	சிவசாமிநாதர்				
711	46	0005	010	1570	1570	S சிவசாமிநாதர்				
712	47	0005	010	1705	1705	பி. சிவசாமிநாதர்				
713	50	0010	010	1806	1806	சிவசாமிநாதர்				
714	53	0012	010	1822	1822	சிவசாமிநாதர்				
715	53	0012	010	1822	1822	சிவசாமிநாதர்				









செயல்பாடு	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

...	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

ம. சண்முகம் நகல்

...

| புள்ளி எண்ணிக்கை |
|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| 133              | 134              | 135              | 136              | 137              | 138              | 139              | 140              | 141              | 142              |
| புள்ளி எண்ணிக்கை |

| புள்ளி எண்ணிக்கை |
|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| 143              | 144              | 145              | 146              | 147              | 148              | 149              | 150              | 151              | 152              |
| புள்ளி எண்ணிக்கை |

71

உண்மை நகல் /  
 தலைமையகத்துக்கு துணை வட்டியர்  
 செயற்குறிப்பிடுவர்

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்	மாதிரி எண்								
...	...	...	...	...	...	...	...	...	...

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்	மாதிரி எண்								
...	...	...	...	...	...	...	...	...	...

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்  
 (19)

செயல்பாட்டு விவரம்	மாதிரி எண்								
...	...	...	...	...	...	...	...	...	...

72

உண்மை நகல்

குறிப்பிடப்பட்டிருக்கின்ற தகவலை வழங்கியது  
 செயல்பாட்டு விவரம்

17425 ஆம் பதவியில்

மேலும்

கோழந்தலை லுரம்

எண் 2

நில வரித் திட்டத்தின்படி புலங்களின் விபரம்	சமயம்	புறம்	மேலும்	மேலும்
(1)	(2)	(3)	(4)	(5)

720	5	0010	023	2214	மேதிரைத்
6	0090	0614	2215	0851	நாகசுமபுரம்
7	0020	010	2216	5	ஆரணம்
1B	0020	014	17064	A	ரணம்
1C	0020	014	17063	A	ரணம்
1D	0020	014	2300	ரிபா	ரணம்
1E	0020	014	2301	பெ	ரணம்
1F	0015	010	2302	E	ரணம்
1G	0020	014	2303	பி	ரணம்
1H	0020	014	2304	K	ரணம்
1I	0020	014	2305	T.S	ரணம்
1J	0020	014	2306	P	ரணம்
1A2	0020	014	2307	ரணம்	ரணம்
1A3	0020	014	2308	ரணம்	ரணம்
1A4	0020	014	2309	ரணம்	ரணம்
1A5	0020	014	2310	K	ரணம்
1A6	0020	014	2311	K	ரணம்
1A7	0020	014	2312	S	ரணம்
1A8	0020	014	2313	S	ரணம்
1A9	0020	014	2314	S	ரணம்
1A10	0020	014	2315	S	ரணம்

சமயம்	புறம்	மேலும்	மேலும்	மேலும்
(1)	(2)	(3)	(4)	(5)
720	5	0010	023	2214
6	0090	0614	2215	0851
7	0020	010	2216	5
1B	0020	014	17064	A
1C	0020	014	17063	A
1D	0020	014	2300	ரிபா
1E	0020	014	2301	பெ
1F	0015	010	2302	E
1G	0020	014	2303	பி
1H	0020	014	2304	K
1I	0020	014	2305	T.S
1J	0020	014	2306	P
1A2	0020	014	2307	ரணம்
1A3	0020	014	2308	ரணம்
1A4	0020	014	2309	ரணம்
1A5	0020	014	2310	K
1A6	0020	014	2311	K
1A7	0020	014	2312	S
1A8	0020	014	2313	S
1A9	0020	014	2314	S
1A10	0020	014	2315	S

உள்ளே காண்க

உண்மை நகல்

தலைவரின் துணைவர் டீபர்  
கோழந்தலை லுரம்

73

14254

காஞ்சிபுரம்

மாண்புமிகு கல்வியியல்

மாண்புமிகு கல்வியியல்

பக்கம் 2

507

பெண் எண்	பெண் பெயர்	பெண் பிறந்த நாள்	பெண் படித்த பள்ளி	பெண் படித்த பள்ளியின் பெயர்	பெண் படித்த பள்ளியின் முகவரி	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரி	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் பெயர்	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் முகவரி	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் தொலைபேசி	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் மொபைல் தொலைபேசி	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் ஊர்	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் மாவட்டம்	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் மாநிலம்	பெண் படித்த பள்ளியின் கல்வியியல் அதிகாரியின் நாடு
720	1A110045022	3349	சீனாத்தலம்											
	1A12004043	3350	சீனாத்தலம்											
	1A130015011	3226	சீனாத்தலம்											
	1A140015011	3327	சீனாத்தலம்											
	1A150015011	3328	சீனாத்தலம்											
	1A160015011	3329	சீனாத்தலம்											
	1A170015011	3330	சீனாத்தலம்											
	1A180005006	3323	சீனாத்தலம்											
722	1	2550	1808	1225	சீனாத்தலம்									
	2A1A	0109	095	776	சீனாத்தலம்									
	2A1B	003	010	1605	சீனாத்தலம்									
	2B	0010	010	905	சீனாத்தலம்									
	2A2	0014	010	1431	சீனாத்தலம்									
	2A3	0014	010	1432	சீனாத்தலம்									
723		1715	2148	1225	சீனாத்தலம்									
724	1A	0160	080	2297	சீனாத்தலம்									
	1B	0810	1407	2029	சீனாத்தலம்									
	2A1A	0424	010	1434	சீனாத்தலம்									

75

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Citation : CDJ 2014 SC 1263

Court : Supreme Court of India

Case No : I.A. No. 6 of 2014 in C.A. No. 5010 of 2014

Judges : THE HONOURABLE MR. JUSTICE PINAKI CHANDRA GHOSE & THE HONOURABLE MR. JUSTICE JASTI CHELAMESWAR

Parties : Vardha Enterprises Pvt. Ltd. Versus Rajendra Kumar Razdan

Appearing Advocates : For the Appellant: ----- For the Respondent: -----

Date of Judgment : 29-10-2014

Head Note :

Rajasthan Municipalities Act - Section 171 -

Comparative Citations:

2015 (6) ALLMR 471, 2014 (12) Scale 526, 2015 (15) SCC 352,

Judgment :

1. The application has been filed with the prayer as follows:

(a) clarify that para 11 of this Hon'ble Court's judgment dated 1.5.2014 in Civil Appeal No. 5010 of 2014 would only operate if and only if certain provisions of law/rule/regulations were violated, and in absence of such violation, construction of Petitioner is permissible in accordance with law;

(b) consequently quash & set aside rejection letter No. F.7(1)B-Plan/Misc/2009/318 dated 19.6.2014 issued by Secretary, Urban Improvement Trust, Udaipur which uses para 11 of this Hon'ble Court's Judgment dated 1.5.2014 in Civil Appeal No. 5010 of 2014;

(c) direct Secretary, UIT, Udaipur to grant/issue renewal of construction permission to Petitioner forthwith in the interest of justice."

A Public Interest Litigation was moved before the High Court of Rajasthan in Civil Writ Petition No. 4271 of 1999 praying that construction in and around the lakes specified in the notification by State of Rajasthan dated 17.1.1997 be stopped and necessary directions be given to the State Government agencies to stop the recurrence of such 'harmful and dangerous activities'. The said notification was

issued Under Section 171 of the Rajasthan Municipalities Act. It pertained to two lakes known as Fatehsagar and Pichola Lake in Udaipur. By the said notification, it was declared that certain specified areas around the above-mentioned two lakes as no construction zone. The said notification was subsequently amended, the details of which may not be necessary for our purpose.

2. The Writ Petition was allowed by an order dated 6.2.2007 substantially granting the prayers of the applicant. Subsequently, a contempt petition came to be filed complaining that the authorities who were Respondents in the above-mentioned writ petition were not implementing the decision of the High Court dated 6.2.2007. In the said contempt petition, an application came to be filed by the writ Petitioner/contempt Petitioner. The substance of the said application is that the applicant herein is making certain commercial construction at Tila Kheda Village in District Udaipur contrary to the directions issued by the High Court by its order dated 6.2.2007. It appears from the record that the applicant herein has obtained various permissions (we are informed 13 in number) from various authorities for the construction of a five-star hotel in a piece of land purchased by them measuring 8.2 hectares which is located at a distance of approximately some 20 kilometers from the two lakes i.e. Fatehsagar Lake and Pichola Lake.

3. In the contempt petition No. 90 of 2010, in view of the application filed by the Petitioner therein, the High Court by its interim order dated 12.10.2011 directed in substance that the construction of the Hotel by the applicant herein be stopped. By the order of the High Court dated 27.9.2012 the said interim order was made the final order.

4. Aggrieved by the same, applicant earlier approached this Court in Civil Appeal No. 5010 of 2014 which was disposed of by this Court by an order dated 1.5.2014. The relevant portion of the said order is as under:-

"In view of above, the contempt order dated 27.9.2012 to the extent it affects the Appellant is set aside. However, we make it clear that in case any statutory authority finds that the Appellant has raised any construction in violation of any statutory requirement including the wet land rules and regulations, if any, this order shall not restrain the said authority to proceed against the Appellant in accordance with law."

5. It is obvious from the above extracted portion of the order that this Court clearly set aside the directions given by the High Court, but made an observation that it is open to the law enforcing agencies to take action against the applicant herein if it is found that the applicant has made any construction in violation of any law.

6. Pursuant to the said judgment of this Court, the applicant herein made an application dated 23.5.2014 to the ninth Respondent, (namely, Ram Niwas Mehta) herein praying that the construction permission granted in favour of the applicant herein on 31.12.2009 by the Urban Improvement Trust, Udaipur under which the applicant was obliged to complete the construction within a period of three years be renewed as the applicant could not complete the construction within the stipulated period of three years in view of the various developments including the interim directions issued by the High Court during the pendency of the contempt petition.

7. The said application was rejected by the proceedings of the ninth Respondent dated 19.6.2014. According to the said communication, a Committee constituted under the provisions of the Wetlands (Conservation and Management) Rules, 2010 (hereinafter referred to as "RULES").

"...has identified Udaisagar lake of Udaipur District as Protected Wetland Under Rule No. 3(II)(V) of

above referred Wetland Rules 2010. The district collector has accordingly sent proposal to the state government also in this respect vide letter No. P.12/3() Raj./Misc/14/2990 dated 12.06.2014.

Raising of any type of construction of permanent nature is prohibited, Under Rule 4(VI), in the areas identified as protected wetlands vide Rule 3 of the Wetlands, (Management & Conservation) Rules, 2010. Hon'ble Supreme Court has also passed orders dated 01.05.2014 in para 11 as below.

\*\*\*\*\*

Under these circumstances it is not possible to grant renewal of the construction permission for hotel project in Udaisagar lake in plot No. 01, area 218966 Sq. Ft in survey No. 523, 531, 532, 534, 535 to 537, 572 to 575, 588, 590, 591, 592, 598, 599, 600 of revenue village Tilakheda."

8. Hence this application.

9. Heard Mr. Guru Krishna Kumar, learned senior Counsel for the applicant. He submitted:

(1) that the RULES were framed subsequent to the date of the original permission for the construction of the applicant's project. Therefore, such rules cannot be made applicable to defeat the rights vested in the applicant by virtue of the statutory permission granted on 31.12.2009;

(2) secondly, the RULES are applicable only to identified wet lands. The area in which the construction of the applicant is going on has not yet been identified as a wet land for the purpose of above-mentioned rules;

(3) Even otherwise, according to the applicant, the construction of the applicant is not within the prohibited distance contemplated Under Rule 4(1)(vi) that is a "distance of 50 meters from the mean high flood level observed in the past 10 years calculated from the date of commencement of these rules" of the Udaisagar Lake.

10. Therefore, the learned senior Counsel Mr. Guru Krishna Kumar argued that the proceeding dated 19.6.2014 by which the 9th Respondent, namely, Ram Niwas Mehta declined to grant the renewal is wholly untenable on a total misunderstanding of law and there is nothing in the order of this Court dated 1.5.2014 which warrants the 9th Respondent to take a view such as the one taken in the proceedings dated 19.6.2014.

11. Heard Ms. Aruna Gupta, learned Counsel for Respondent Nos. 9 and 11.

12. Learned Counsel submitted that the 9th Respondent understood the liberty granted by this Court at para 11 (extracted earlier) of its order as enabling him to decline the renewal of the permission for construction as there is a proposal pending for identifying the Udaisagar Lake area as protected wet land for the purpose of the RULES.

13. For deciding the correctness or otherwise of the order of the 9th Respondent dated 19.6.2014, a brief survey of the RULES is necessary.

14. The RULES are made by the Govt. of India(Now, therefore, in exercise of the powers conferred by Section 25, read with Sub-section (1) and Clause (v) of Sub-section (2) and Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the

following rules for conservation and management of wetlands.). They came into force w.e.f. 4.12.2010.

15. Under the Rules, wetlands is defined as under:-

"wetlands" means an area or marsh, fen, peatland or water, natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water, the depth of which at low tide does not exceed six meters and includes all inland waters such as lakes, reservoirs, tanks, backwaters, lagoons, creeks, estuaries and manmade wetland and the zone of direct influence on wetlands a that is to say the drainage area or catchment region of the wetlands as determined by the authority but does not include main river channels, paddy fields and the coastal wetland covered under the notification of the Government of India in the Ministry of Environment and Forest, S.O. number 114(E) dated the 19th February, 1991, published in the Gazette of India, Extra Ordinary Part II, Section 3, Sub-section (ii) of dated the 20th February, 1991."

16. Under Rule 3 various categories (6 in number) of wetlands are specified.

17. Rule 4(1) specifies the various activities mentioned therein to be prohibited activities "within the wetlands" and Rule 4(2) specifies the various activities which cannot be undertaken without the prior approval of the State government within the wetlands. Rule 4(1)(vi) is relevant for us and reads as under:

"any construction of a permanent nature except for boat jetties within fifty meters from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules."

18. Rule 6 prescribes an elaborate procedure for the identification of wet lands.

"6. Process for identification of wetlands under different categories:

(1) Wetlands covered under item (i) of Rule 3 specified under Schedule shall be the wetland to be regulated under these rules.

(2) The States Government shall prepare, within a period of one year from the commencement of these rules, 'Brief Document'. Identifying and classifying the wetlands within their respective territories in accordance with the criteria specified Under Rule 3 and submit the same to Authority.

(3) The 'Brief Document' of each wetland for identification shall comprise of following information, namely:

(i) broad geographic delineation of the wetland;

(ii) its zone of influence along with a map (accurate and to scale);

(iii) the size of the wetland;

(iv) account of pre-existing rights and privileges, consistent or not consistent with the ecological health of the wetland.

(4) The Authority, shall on receipt of the 'Brief document' under Sub-rule (2), if consider it necessary refer in consultation with the State Government to a research institute or university having relevant

79

multi-disciplinary expertise related to wetlands, to conduct a comprehensive survey of the wetland within a period of thirty days: provided that the institute or university to which the matter has been referred under Sub-rule (4) shall submit a report within next ninety days from the date of such reference to Authority, which shall contain information with respect to the criteria specified Under Rule 3.

(5) The Authority shall, thereafter, arrive at a decision in consultation with the State Government, on the proposal, within a period of ninety days from the date of receipt of the report under Sub-rule (4).

(6) The Central Government shall on the receipt of the recommendation of the Authority notify the area of wetlands as recommended by the Authority for public information inviting objections and suggestions from the general public likely to be affected to make representation to the Central Government within a period of sixty days;

(7) The Authority shall consider all the representations which the Central Government may receive under Sub-rule (6) and submit its recommendation on the such representations to Central Government within a period of sixty days for final notification.

(8) The Central Government shall on receipt of the recommendations of the Authority under Sub-rule (7) issue a final notification notifying therein the area of the wetland its category or classification to be regulated under these rules and display the said notification in public in English and vernacular languages."

19. It can be seen from the above that except for the category of wetlands covered Under Rule 3(1), the other categories of wetlands specified Under Rule 3 are required to be identified after an elaborate enquiry Under Rule 6 and finally notified by the Government of India.

20. On an examination of the scheme of the Rules, we are of the opinion that the applicant is right in his first two submissions. First of all, the area where the applicant's construction is going on has not yet been legally notified as a wet land under the RULES. In the absence of any legal embargo as on today, the applicant's right to carry on the construction according to the existing law and various permissions granted under it cannot be frustrated by executive action in anticipation of some embargo which is likely to be created in future.

21. By virtue of the factum of the ownership of the land the applicant has a legal right to make any construction on the land; subject of course to the reasonable restrictions imposed by law. It is the undisputed case that the applicant was granted all the necessary permissions under the existing law in the year 2009 enabling the applicant to undertake the construction in question. Such a vested right cannot be defeated by an executive order. The prohibition contemplated Under Rule 4(1)(vi) can operate only on the identification of a wet land in accordance with the procedure prescribed Under Rule 6. Such an identification w.r.t. the applicant's land is not yet made. Even if such identification were to be made tomorrow, the vested rights of the applicant cannot be defeated by executive action of denying the renewal sought by the applicant.

22. Coming to the third submission, we do not propose to examine the same as it involves a question of fact and such inquiry at that stage is not required in the absence of identification of the area as wet land under the RULES.

23. The opinion of the 9th Respondent that the applicant is not entitled for renewal for the permission of construction is not only illegal but wholly perverse and the same is required to be set aside. The 9th

Respondent, is therefore, directed to grant renewal if application for renewal is otherwise in order.

24. IA is allowed with costs quantified at Rs. 1 lakhs to be paid by the 9th Respondent Ram Niwas Mehta. Costs to be paid within a period of four weeks from today.

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BEFORE THE NATIONAL  
GREEN TRIBUNAL  
SOUTHERN ZONAL BENCH,  
CHENNAI

O.A.No. **51 OF 2016** (SZ)

**Suo Motu** Application - News Item  
Published in The Times of India Chennai  
Edition Dated **07-03-2016** (Dumping  
Building Debris behind Pallikaranai  
Marsh Land).

Vs

The Principal Secretary to the  
Government,  
Dept. of Environment and Forests,  
Chennai  
& Others ... Respondents

**TYPED SET**

M/s. M.S.SOUNDARARAJAN  
B.GOWTHAMARAJAN

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