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**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

Original Application No. 06 of 2021 (SZ)

IN THE MATTER OF

Tribunal on its own motion-SUO MOTU
Based on The News item in the Hindu
Newspaper Edition Dated:21.12.2020,
"Vilinjambakkam Lake shrunk due to
Encroachment

.... Applicant(s)

Versus

1. The Principal Secretary to Government,
Public Works Department,
Govt. Secretariat, Fort St.George.
Chennai, Tamil Nadu – 600009.
2. The Secretary to Govt. of Tamil Nadu,
Department of Environment & Forests,
Govt. Secretariat, Fort St.George.
Chennai, Tamil Nadu – 600009.
3. The Additional Chief Secretary to Govt. of Tamil Nadu,
Revenue and Disaster Management Department,
Govt. Secretariat, Fort St.George.
Chennai, Tamil Nadu – 600009.
4. The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Anna Salai, Guindy,
Chennai, Tamil Nadu – 600032.
5. The District Collector,
Thiruvallur District,
First Floor, Collectorate,
Thiruvallur – 602001.
6. The Corporation Commissioner,
Avadi Municipal Corporation Office,
391, New Military Rd. Thirumalai Rajapuram,
NHB Mig V Block, Avadi, Tamil Nadu – 600071. ...Respondents.

REPORT FILED ON BEHALF OF THE 1ST RESPONDENT

I, C.Podupanithilagam.son of Chinnathambi aged about 47 years,
residing at No.47/6, Breeze Apartment, TNHB, Near Velammal Main School,
Mogappair East, Chennai-37 do, solemnly affirm and sincerely state as
follows:

2. I state that, I am the Executive Engineer, Public Works Department /
Water Resources Department, Kosasthalaiyar Basin Division, Thiruvallur
file the report on behalf of the 1st respondent herein and I am well
acquainted with the facts of the case from records.


Executive Engineer, P.W.D.,
Kosasthalaiyar Basin Division, W.R.D.,
Thiruvallur.

3. It is submitted that, the above case has been Suo Motu registered basis of the newspaper report published in the Hindu Tamil Thisal, newspaper, Chennai, Edition, dated 21.12.2020 under the caption " ஆக்கிரமிப்பால் சுருங்கிய ஆவடி விளிஞ்சியம்பாக்கம் ஏரி மழைநீரை சேமித்து வைக்க முடியாத அவலம்" (Vilinjiambakkam Lake Shrunk due to encroachment, shame of not being able to store rain water)

4. It is submitted that the The Hon'able National Green Tribunal, Southern Zone, Chennai, in the matter of OA No. 06 of 2021 in its order dated 17.12.2021 viewed as below:-

- "2. The first respondent has filed a report said to be dated 15.12.2021, and e- filed on 16.12.2021 only reiterated what was already stated by them in the report dated 16.08.2021 and mentioned that for construction of boundary wall the estimate has been prepared for a tune of 2.50 Crore. The proposal has to be sent to the competent authority for obtaining necessary approval. Thereafter the boundary wall work will be commenced.*
- 3. But it was not mentioned as to when the encroachment will be removed and within what time the protective measures will be taken. Even in the report dated 16.08.2021, the encroachments details were mentioned, but what are the further steps taken by them to remove the encroachment has not been deliberated in the report said to have filed in the furtherance to earlier reports filed after gap of four (4) months.*
- 4. When this was pointed out, the learned counsel appearing for the state Department submitted that these case may also be posted on 31.01.2022 on which date, the same officer will be appear before this Tribunal."*

5. It is humbly submitted that, the 23 encroachments have been identified by the Revenue department in S.F No. 80 which is classified as Vilinjiambakkam Tank water spread area, where as the S.F No. 81, 82, 92/4, 92/5B, 92/6, 100, 103, 106, 109, 110, 111, 112, 113, 114/2, 115/2, 116, 118, 119/2 & 120 which are classified as Eri Ulvoy, 92/3 and 93/2 which are classified as Eri Karai, 83 and 92/7 which are classified as channel, the encroachments are to identify by the Revenue department.

6. It is humbly submitted that, the Revenue department issued Form I and II notices for encroachments in S.F. No. 80 only. The Assistant Engineer WRD, St.Thomas Mount has sent a letter vide Lr.No 408 / AE / Adayar Irrigation Section / 2021 / Dt: 09.12.2021, to Tahsildar Avadi requesting

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Executive Engineer, P.W.D.,
Kosasthalaiyar Basin Division, W.R.D.,
Thiruvallur.

there in to submit the encroachments in the other classified areas such as Eri ulvoy, Erikarai & Channel which are all interconnected with Viliinjambakkam Tank.

7. It is humbly submitted that, after receiving the form I & II notices from Revenue Department, Form III notice will be issued to the encroachers and then encroachments will be removed after abiding all the legal procedures.

It is, therefore, prayed that this Hon'ble Tribunal may be pleased to take on record the submissions made above and pass appropriate further orders as deemed fit in the facts and circumstances of the case and thus render justice.

VERIFICATION

I, C. Podupanithilagam, son of Chinnathambi, aged about 47 years, Executive Engineer, Public Works Department/Water Resources Department, Kosasthalaiyar Basin Division, Thiruvallur, do verify that the submissions in Paragraphs 1 to 7 are true and correct to the best of my knowledge as per records and I verify the same at Chennai on this 21st day of January, 2022.


Executive Engineer, P.W.D.,
Kosasthalaiyar Basin Division, W.R.D.,
Thiruvallur.

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.... Applicant

VERSUS

The Principal Secretary to Government
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Govt. Secretariat, Fort St. George
Chennai, Tamil Nadu and others
.. Respondents

**REPORT FILED BY THE
EXECUTIVE ENGINEER,
PWD/WRD KOSASTHALAIYAR
BASIN DIVISION,
THIRUVALUUR.**

GOVERNMENT PLEADER