

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI  
Original Application No. 128 of 2020 (SZ)  
(Through Video Conference)**

**IN THE MATTER OF:**

Tribunal on its own motion SUO MOTU Based on the News Item in Tamil Newspaper Dinamalar Chennai Edition dated 20.07.2020, "Will the encroachment of Medavakkam Lake be removed fairly".

-versus-

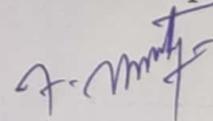
The Principal Secretary to Government  
Public Works Department,  
Govt. secretariat, Fort St. George,  
Chennai and Ors.  
...Respondent(s)

**REPORT FILED BY THE SUPERINTENDING ENGINEER,  
WATER RESOURCES ORGNAIZATION, CHENNAI**

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I, A. Muthiah, s/o. Asokan, aged about 57 years residing at "C" Block, 207, Casagrand Aristo Apartments, Nobel Street, Nanganallur, Chennai-61, do, hereby, solemnly affirm and sincerely state as follows:

2. I am the Superintending Engineer, WRD, Palar Basin Circle, Chennai-5 and the administrative control of the Medavakkam Tank lies within my control and I am filing this individual report

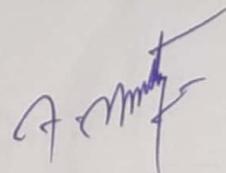


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pursuant to the order dated 29.04.2020 of this Hon'ble Tribunal in the Original Application herein.

3. I state that based on the news report dated 20.07.2020 in the Dinamalar daily under the caption, "Will the encroachments in Medavakkam lake be removed without bias?" this Hon'ble Tribunal, has *suo motu* taken up the case on the following observations made from the news report:

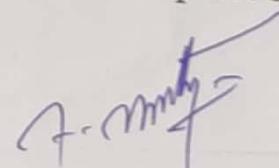
- (i) The paper report was that Medavakkam big Lake is located in survey No. 261 under the control of Public Works Department originally having an extent of 200 acres. The lake water was being used to irrigate the agriculture lands in Medavakkam, Vadakkupattu, Vellakkal and Kovilambakkam.
- (ii) The public were safeguarding the lake earlier by desilting and strengthening the banks of the lake once in every 12 years. When the development of the suburbs of Chennai began to increase, the size of the agricultural lands declined and the lake has been neglected, in spite of fact that it was



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Chepauk, Chennai - 600 005.

acting as a rain water harvesting system to safe guard the ground water level in that area.

- (iii) Some years back, the North and South banks of this lake were broken by the encroachers and sold the lake lands. The encroachment of lake as per Government records is 145 acres and extent of the lake has been reduced to 50 acres.
- (iv) It is also mentioned that a false fake survey no. was given as survey no. 261/7 and Patta is being issued to many people. The Government authorities are also issuing land tax receipt for the encroached lands to the encroachers and using that Electricity connections had been obtained for the houses unauthorisedly constructed by the encroachers.
- (v) It is also alleged in the report that the local politicians had provided road facility and drinking water facility in order to please the encroachers. Ration Cards were also issued to the residents who have unauthorisedly put up constructions there. When huge water crises happened, due to the intervention of the local people and also the well-wishers of the locality, certain amounts have been spent for



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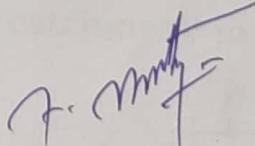
the purpose of cleaning the water bodies located in that area.

- (vi) The Public Works Department also told that Rs. 4 core were allotted to reform the Medavakkaam Lake. But, no work has been started so far. No steps have taken to remove the encroachments as well.

4. I further state that this Hon'ble Tribunal by the order dated 30.07.2020 has appointed a Joint Committee and directed that:

(i) The Committee to ascertain the total original extent of the lake as per the Revenue records and the extent of encroachment and the steps taken to remove the encroachment and also to ascertain as to whether there was a scheme launched by the State Government or the District administration to protect this water body and if so what is its stage of implementation.

(ii) The committee has also been directed to consider the question as to whether there was any illegal discharge of any untreated effluents or sewage into the water body and also to ascertain the

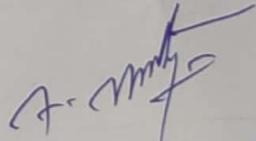
  
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Chepauk, Chennai - 600 005.

quality of the water in the lake and if there is any contamination suggest the ways and means to remedy the same.

(iii) The committee shall trace out the encroachers and suggest the ways and means to remove such encroachment including the persons responsible to carry out the same and to prepare an action plan with short term and long term measures with shorter time lines to restore the water body including removal of encroachment and possibility of establishing biodiversity park/tree-planting around the water body and other protective measures to be taken to protect the water body against future encroachments as well.

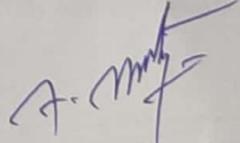
(iv). The Public Works Department will be the nodal agency for coordination and for providing all necessary logistics for this purpose.

5. As regards the Water Resources Department is concerned it is stated that the Medavakkam Periya Eri in S.F.No. 261 of Medavakkam Village of Tambaram Taluk has the storage capacity of 0.69 Mcm to feed the originally intended ayacut of 80.57 Ha. It's water spread area is 3.7sq.km and has its own catchment in an

  
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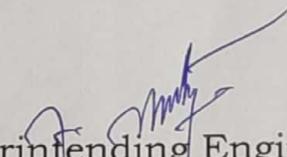
extent of 0.55 sq.km. In view of the development of Chennai City and its peripheral areas, the ayacut has been substantially reduced now.

6. With regard to the action taken for eviction of encroachments, it is stated that the revenue and WRD officials in the presence of Revenue Divisional Officer, Tahsildar and Assistant Executive Engineer, WRD, Palar Basin Sub Division, Chengalput and the Assistant Engineer, WRD, Irrigation Section, Padappai have made a survey of the tank by the Taluk Surveyor and identification of encroachments is in progress by the Revenue Officials. The Tahsildar, Tambaram has now sent the Form I and Form II on 30.07.2022 as per the Tamil Nadu Protection of Tank and Eviction of Encroachment Act, 2007 and rules made there under. As per Form I, 1396 No. of encroachments have been identified during the survey and the Assistant Engineer, WRD, Irrigation Section, Padappai, who is the authorized Officer to issue Form No. III to the encroachers as per law has started issuing Show Cause Notices to the encroachers to submit their documents/credentials, if any with them with regard to the title of the land which are identified as

  
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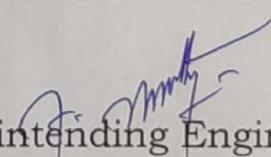
encroachments in the survey made. The documents, if any, submitted by the encroachers would be sent to the Tahsildar for verification of the title of the land with reference to the revenue records. After completion of the above process and on confirmation of the encroachments, notices in Form III will be issued to the encroachers by the Assistant Engineer.

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

  
Superintending Engineer, WRD  
Palar Basin Circle, Chennai-5

#### VERIFICATION

I, A. Muthiah, s/o. Asokan, officiating as Superintending Engineer, WRD, Palar Basin Circle, Chennai-5, do verify that the submissions made from paragraphs 1 to 7 are true and correct to the best of my knowledge and from records and I signed this on this.....<sup>2<sup>nd</sup></sup>.....Day of August, 2022 at Chennai.

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