

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,**

**SOUTHERN ZONE, CHENNAI**

**OA No. 271of 2024 (SZ)**

**In the Matter of:-**

S. Kanthan, Puducherry and Anr.

..... Petitioner

Vs

Puducherry Coastal Zone Management Authority and Ors. .... Respondents

**PAPER BOOK – I**

**Status Report on unauthorized constructions and encroachment of bank in the Chunnambar river in CRZ – III (No Development Zone) by M/s. Lagoon Sarovar Premiere Resort (Earlier M/s. Puducherry Back Water Resort Pvt. Ltd.), Puducherry.**

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*Mr. Ramaswamy Meyyappan*

**Through**

Mr. Ramaswamy Meyyappan  
Government Advocate  
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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE, CHENNAI**

**OA No. 271 of 2024 (SZ)**

In re: Status Report on unauthorized constructions and encroachment of bank in the Chunnambar river in CRZ – III (No Development Zone) by M/s. Lagoon Sarovar Premiere Resort (Earlier Puducherry Back Water Resort Pvt. Ltd.), Puducherry.

I, Smt. Smitha. R, IAS., (Hindu) aged 58 years, working as Special Secretary-cum-Director, Department of Science, Technology and Environment (DSTE) / Member Secretary in the Puducherry Coastal Zone Management Authority (PCZMA) with office at 3<sup>rd</sup> Floor, PHB Building, Anna Nagar, Puducherry do hereby solemnly affirm and sincerely state as follows based on the official records that is placed before me:

- 1) I respectfully submit that the status report is being filed in compliance to the Order dated 01.05.2025 of this Hon'ble Tribunal.
- 2) I respectfully submit that M/s. Lagoon Sarovar Premiere Resort (Earlier Puducherry Back Water Resort Pvt. Ltd.) is located at R.S. No. 5, Iyyanar Koil Street, Poornankuppam Revenue Village, Ariyankuppam Commune Panchayat, Puducherry that falls under CRZ – III, No Development Zone (NDZ) as per the existing Coastal Zone Management Plan (CZMP) prepared as per the Coastal Regulation Zone (CRZ) Notification, 2011. Annexure – I.

  
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- 3) I respectfully submit that a personal hearing for the non-compliance of the direction issued on 10.01.2025 by PCZMA was held on 05.05.2025 by the Special Secretary-cum-Director (DSTE) / Member Secretary (PCZMA). During the personnel hearing Thiru. R. Jayaprakash, Managing Director representing M/s. Lagoon Sarovar Premiere Resort and Officials dealing with the subject were present. Annexure – II.
- 4) I respectfully submit that after due hearing in person from the project proponent, the Authority directed as follows:
- i. The project proponent shall remove the unauthorized constructions / activities agreed before the personal hearing and submit compliance report with proper justifications, relevant documents and photographs attached on or before 15.05.2025 to this Authority.
  - ii. The Officials of the Puducherry Coastal Zone Management Authority (PCZMA) and the Regional Coastal Zone Management Committee (RCZMC) shall jointly verify the unauthorized constructions / activities not agreed by the project proponent and submit the factual status to this Authority on or before 20.05.2025. Annexure – III.
- 5) I respectfully submit that the reply was received on 16.05.2025 from the project proponent for the personnel hearing conducted on 05.05.2025. The project proponent has closed the pipeline provided for discharge of storm water into the water body. The project proponent has also not disposed any debris into the water body. However, the project proponent has not removed the unauthorized constructions / activities agreed before the personal hearing. Annexure – IV.

  
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- 6) I respectfully submit that as per the decision taken during the personal hearing, joint inspection was carried out on 12.06.2025 with line departments viz., Directorate of Survey, Settlement and Land Records, Public Works Department (Irrigation Division), Ariyankuppam Commune Panchayat, Puducherry Planning Authority, PCZMA and RCZMC. Annexure – V.
- 7) I respectfully submit that the Member Secretary, RCZMC has sent communication to line Departments for the following:
- a) The boundaries of the land corresponding to R.S. Nos. 4, 5, 6, and 26 shall be accurately surveyed and the ownership of the land by the Department, accompanied by a detailed map or layout shall be delineated. (Action - Directorate of Survey, Settlement, and Land Records, Puducherry).
  - b) Verify and provide a comprehensive clarification regarding both authorized and unauthorized constructions within R.S. No. 6, 26 i.e., Car shed, the Two Storeyed Guest House building and the Administrative building, Stage near Swimming Pool and STP block in R.S. No. 5. (Action - Puducherry Planning Authority, Puducherry).

  
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c) Examine and confirm the nature and function of the existing four pipelines laid to be storm water drains discharging into the adjacent river. (Action - Irrigation Division, PWD, Puducherry).  
Annexure – VI.

8) I respectfully submit that the reply received from the Member Secretary, RCZMC, Puducherry w.r.t the Joint Inspection held on 12.06.2025, (Annexure – VII) regarding unauthorised construction / activities carried out by the M/s. Lagoon Sarovar Premiere Resort are as follows:

Sl. No.	Observation of PCZMA dated 10.01.2025	Reply furnished by the Project Proponent during Personal Hearing on 05.05.2025	Observation of Joint Inspection held on 12.06.2025
1.	Concrete structures were constructed in part of R.S. No. 5, 6 & 26 which falls under CRZ – III (NDZ).	Did not agree and informed that R.S. No. 6 is road & R.S. No. 26 does not belong to the project proponent.	<p>The following construction / structures / activities is unauthorized:</p> <p>i. In R.S. No. 5pt Main building and Administrative Building have been constructed with deviation from the plan approved by PPA. Stage near Swimming Pool; Lite roof shed for Sewage Treatment Plant (STP) and 2 Nos. of sloped roof store rooms on southern side boundary have been constructed unauthorizably and deviations are within compoundable limit.</p> <p>ii. The structures provided for beautification at the entrance partly falls within R.S. No. 4/2 (Government Poromboke River Land), R.S. No. 4/3 (Private Patta Land), R.S. No. 5pt owned by the proponent and R.S. No. 6pt (Government Poromboke road).</p>

			<p>iii. Constructed two-storeyed building for resort workers on the western side of the resort by Tmt. Sinnammal W/o. Sinnaswamy Counder and Others.</p> <p>iii) Portion of Compound wall falls within the R.S. No. 11/1 (Temple Land).</p>
2.	Constructed two-storeyed building for resort workers on the western side of the resort.	Did not agree and informed that R.S. No. 26 wherein the workers of the resort are staying does not belong to the project proponent.	<p>The R.S. No. 26 is Private Patta land owned as follows:</p> <ol style="list-style-type: none"> <li>Tmt. Sinnammal W/o Sinnaswamy Counder.</li> <li>Thiru. Thiveianathan Frankas S/o Aathipathi Arulanatham.</li> <li>Thiru. Sivinathan S/o Aathipathi Arulanatham.</li> <li>Thiru. Vimalraj S/o Nallathambi @ Arumugam.</li> <li>Thiru. Suresh raj S/o Nallathambi @ Arumugam.</li> <li>Thiru. Arunraj S/o Nallathambi @ Arumugam.</li> <li>Tmt. Vasantha S/o Arokiyanathan.</li> </ol> <p>The above mentioned building falls outside the resort premises.</p>
3.	Beautification and construction of permanent structures including compound wall at the entrance.	Agreed that beautification was carried out. Did not agree for the construction of compound wall since, it was constructed during 2011.	<ol style="list-style-type: none"> <li>Unauthorizedly constructed in R.S. No. 4/2 (Government Poromboke River Land), R.S. No. 4/3 (Private Patta Land), R.S. No. 5pt owned by the proponent and R.S. No. 6pt (Government Poromboke road).</li> <li>Portion of Compound wall falls within the R.S. No. 11/1 (Temple Land).</li> </ol>

  
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4.	Pavement block road was laid along the river bank.	Did not agree and informed that there is a discrepancy in the assessment and the pavement block was laid in his own R.S. No. 5 and not in the river bund.	The project proponent has constructed paver block walkway along the bank of the water body unauthorizedly in R.S. No. 4/3 (Private Patta Land). The ownership of the land is as follows: i. Thiru. Chandradsekaran S/o. Kuppusamy Counder.
5.	Constructed a wooden jetty.	Agreed.	ii. Thiru. Sivasubramaniyan S/o. Kuppusamy Counder. iii. Thiru. Gunasekaran S/o.. Kuppusamy Counder. (Former proprietor of M/s. Puducherry Back Water Resort)
6.	Modifications to the Administrative Block.	Agreed that modifications was carried out in the administrative block.	The project proponent has unauthorizedly constructed Main building and Administrative Building with deviation from the plan approved by PPA. A stage near Swimming Pool; Lite roof shed for Sewage Treatment Plant (STP) and 2 Nos. of sloped roof store rooms on southern side boundary have been constructed unauthorizedly, and deviations are within compoundable limit.
7.	Constructed a stage near the swimming pool.	Agreed.	
8.	Installed 4 Nos. of rainwater overflow pipelines leading into the river.	Agreed.	1 No of pipeline was laid by the proponent and same was closed as noticed during the joint inspection carried out on 12.06.2025 and the remaining three were laid by the adjacent land owner for storm water drain, since his land is in low lying area.
9.	Constructed a Sewage Treatment Plant (STP) with a capacity of 15 KLD.	Agreed and informed that he had applied to PPCC for consent.	Constructed without necessary approval from the competent authority.
10.	Dumping of soil and stones for beautification purposes.	Did not agree.	At the time of inspection the site was restored and there was no dumping of construction and demolition waste.

  
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11.	Reclamation and landfilling activities at R.S. No. 24/12A and R.S. No. 24/12B near the Chunnambar river bank.	Did not agree.	
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- 9) I respectfully submit that 1 No. of pipeline was laid by the proponent and the remaining 3 pipelines were laid by the adjacent land owner. Annexure – VIII.
- 10) I respectfully submit that the communication from the Member Secretary, Puducherry Planning Authority states that the Managing Director, M/s. Puducherry Backwater Resort Pvt. Ltd., has obtained building permit for construction of Hotel Block-A (Two Storeyed), Administrative Block – B, (Single Storeyed), Electrical /Genset Room Block- C (Single Storeyed), Security Room Block – D (Single storeyed), Change Room Block – E (Single Storeyed) vide dated 03.05.2018.
- 11) I respectfully submit that PPA has observed that the Main building and Administrative Building have been constructed with deviation from the plan approved by PPA. A stage near Swimming Pool; Lite roof shed for Sewage Treatment Plant (STP) and 2 Nos. of sloped roof store rooms on southern side boundary have been constructed unauthorizedly and deviations are within compoundable limit. Annexure – IX.
- 12) I respectfully submit that the communication received from the Directorate of Survey and land Records. Annexure – X. It is stated that on the demarcation conducted on 07.07.2025, it is revealed that as per the state on ground M/s. Lagoon Sarovar Premiere Resort with the existing building are

bounded with the compound wall locates the following R.S. Nos and with its corresponding extent as per the FMB and records:

R.S. No(s).	State on ground Extent	Remarks
5pt	00-98-18	Private Patta Land
4/3pt	00-06-57	Private Patta Land
4/2pt	00-00-36	Govt. Poromboke - River
6pt	00-00-41	Govt. Poromboke –Care Track
11/1pt	00-01-18	Temple Land

13) I respectfully submit that, the following facts are submitted before the Hon'ble tribunal:

1. The M/s. Lagoon Sarovar Premiere Resort has deviated the building permission issued by the Puducherry Planning Authority (PPA) dated 03.05.2018.
2. Unauthorised construction of Main building and Administrative building from the approved plan submitted to PPA and a stage (Gazebo) near the Swimming Pool, Single Storeyed lite roof sheds for Sewage Treatment Plant (STP) and 2 Nos. of sloped roof store rooms on southern side boundary have been constructed additionally.
3. The structures provided for beautification at the entrance partly falls within R.S. No. 4/2 (Government Poromboke River Land), R.S. No. 4/3 (Private Patta Land), R.S. No. 5pt owned by the proponent and R.S. No. 6pt (Government Poromboke road). A portion of Compound wall falls within R.S. No. 11/1 (Temple Land).

  
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4. Paver block walk way was laid along the river bank and construction of Wooden Jetty in R.S. No. 4/3 is owned by Thiru. Gunasekaran S/o. Kuppusamy Counder (Former proprietor of M/s. Puducherry Back Water Resort). Annexure – XI.

- 14) I respectfully submit that, the factual report is submitted before the Hon'ble Tribunal and humbly prayed that this Hon'ble Tribunal may pass such further or other orders(s) as deemed fit and proper in the facts and circumstances of the case.

  
**DEPONENT**  
**MEMBER SECRETARY**  
**PUDUCHERRY COASTAL ZONE**  
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### VERIFICATION

Verified at Puducherry on 10.07.2025 that the contents of the above status report are true and correct to the best of my knowledge and information as derived from the official records and nothing material has been concealed therefrom.

SIGNED BEFORE ME



  
**M. SIVAPRAKASH, B.L.,**  
**ADVOCATE & NOTARY PUBLIC**  
 Govt. of India  
 Regd. No. 7933/2010  
 No.5, 111rd CROSS, ILANGO NAGAR  
 PUDUCHERRY - 605 011

  
**Respondent No. 2**  
**adopted with Respondent No. 1**  
**MEMBER SECRETARY**  
**PUDUCHERRY COASTAL ZONE**  
**MANAGEMENT AUTHORITY**  
**PUDUCHERRY**

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

**O.A No: 271/2024**

**IN RE: STATUS REPORT ON  
UNAUTHORIZED  
CONSTRUCTIONS AND  
ENCROACHMENT OF BANK IN  
THE CHUNNAMBAR RIVER IN  
CRZ – III (NO DEVELOPMENT  
ZONE) BY M/s. LAGOON  
SAROVAR PREMIERE RESORT  
(EARLIER M/s. PONDICHERRY  
BACKWATER RESORT PVT.  
LTD.), PUDUCHERRY.**

**PAPER BOOK – I**

**RESPONDENT No. 2  
ADOPTED WITH RESPONDENT No. 1**

**Through**

Mr. Ramaswamy Meyyappan  
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