

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 83 of 2014 (SZ)
With
Original Application No. 51 of 2016 (SZ)**

In the matter of:

V. Meghanathan

... Applicant(s)

Versus

The Chief Secretary,
Govt. of Tamil Nadu,
Chennai and others.

...Respondent(s)

WITH

Suo Motu Application – News item published in the
Times Of India Chennai Edition dated 07.03.2016
(Duping building debris behind Pallikaranai Marsh Land)

Versus

The Principal Secretary to the Government,
Dept of Environment and Forests,
Chennai and others

.....Respondent(s)

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Through
Dr. D. Shanmuganathan
Standing Counsel for Government of Tamil Nadu
National Green Tribunal
Southern Zone, Chennai

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**STATUS REPORT FILED BY THE 10th RESPONDENT IN O.A.NO.83 OF 2014
(SZ) THE DISTRICT FOREST OFFICER, CHENNAI DIVISION, CHENNAI**

I, V.A.Saravanan, S/o Late AyyanKutty, aged about 56 years, working as the District Forest Officer, Chennai Division, Chennai at Panagal Maligai, Saidapet, Chennai-600015 do hereby solemnly affirm and sincerely state as follows: -


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1. It is humbly submitted that I am the District Forest Officer, Chennai and in-charge of Pallikaranai Marsh. I am well acquainted with the facts of the case, circumstances of the case on the basis of official records, and as such, authorized and competent to swear this affidavit.

2. It is submitted that the O.A.No.83 of 2014 (SZ) was filed by the applicant alleging that there is encroachment in marsh by name Pallikaranai Marsh Land. O.A.No.51 of 2016 (SZ) has been Suo Motu registered by the Tribunal on the basis of the newspaper report published in The Times of India, Chennai Edition dated, 07.03.2016 under the caption "Dumping building debris behind Pallikaranai Marshland" and it was alleged in the newspaper report that there has been an encroachment made on Pallikaranai Marshland in Perungudi by private association called Beluah Nagar and Periya Mutharamman Nagar Plot.

3. It is respectfully submitted that this tribunal has disposed of these cases in its judgement dated 31.01.2022 as detailed below.

- (i) *The official respondents including the Commissioner Land Administration, District Department, Survey and Settlement Department are directed to conduct a detailed survey to find out the original extent of the Pallikaranai Marshland on the basis Collector, Forest of the revenue records of pre independence era and take steps to remove the encroachments etc. as directed by the Hon'ble High Court of Madras in CR.O.P. Nos.4413 of 2013 and 22457 of 2015, subject to the further orders to be passed by the Hon'ble High Court in that case on the basis of the compliance report filed.*

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- (ii) *The Chief Secretary, State of Tamil Nadu is directed to appoint a high level committee under his leadership comprising of the Additional Chief Secretary for Environment and Forest, Principal Secretary for Revenue, Additional Chief Secretary for Water Resources Department, Additional Chief Secretary for Municipal Administration and Water Supply, the Principal Chief Conservator of Forest (Head of Forest Force) and Chief Wildlife Warden, the Commissioner – Greater Chennai Corporation, the Managing Director / Chairman – Chennai Metropolitan Water Supply and Sewerage Board, Commissioner Land Administration and the concerned District Collector and District Forest Officer – Chennai who is in charge of the Pallikaranai Marshland in whose jurisdiction the entire marshland falls to evaluate the survey to be conducted and further directions (if any) to be issued so as to prepare an action plan for the purpose of protecting the Pallikaranai Marshland, after identifying the encroachments and steps to be taken for removal of the same and declaring the same as a protected marshland under the Wetland (Conservation and Management) Rules, 2017 or under the Wildlife (Protection) Act, 1972 and Madras Forest Act as the case may be and transfer the same in favour of the respective authority for their future protection and management and implementation of the action plan to be prepared.*
- (iii) *Till this exercise is completed, the interim order passed by this Tribunal in O.A. No.51/2016 (SZ) against the 6th Respondent in that case will continue.*

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- (iv) *The Principal Secretary for Environment and Forest and Commissioner Land Administration are directed to file a periodical report of the progress of the implementation of the directions issued by this Tribunal subject to the further directions to be issued by the Hon'ble High Court of Madras in the decision cited supra once in 6 (Six) Months for consideration and further directions (if any) to be issued.*
- (v) *The Greater Chennai Corporation is also directed to consider the question of handing over of Perungudi dump yard after retrieving the same by adopting the bio mining as directed by this Tribunal restricting their area, if it is permissible as per the directions issued by the Hon'ble High Court of Madras and also further orders to be passed by the Government in this regard in compliance with the directions issued by the Hon'ble High Court of Madras in the decision cited supra and take steps to hand over the remaining land to the Forest Department to be included as part of the Pallikaranai Marshland in order to restore it to its original position and this direction is subject to the further orders to be passed by the Hon'ble High Court of Madras in this regard on the basis of the reports to be submitted as directed in the decision cited supra.*
- (vi) *The Tamil Nadu Pollution Control Board is directed to ascertain the quality of the water in the Pallikaranai Marshland and if there is any pollution caused due to discharge of any untreated sewage, then they are directed to take appropriate action against those persons who are responsible in accordance with law.*

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- (vii) *The Greater Chennai Corporation as well as the CMWSSB are directed not to discharge any untreated sewage into the Pallikaranai Marshland or do any act in the dumping ground in such a way as to encroach into the water body and pollute the water quality in the water body by their activities. If any such acts have been committed by them in violation of the Solid Waste Management Rules, 2016, Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, then the Tamil Nadu Pollution Control Board is directed to take appropriate action against them in accordance with law.*
- (viii) *Once the lands are retrieved and handed over to the Forest Department, then the Forest Department is directed to take steps to protect the same against the encroachment and pollution and develop the same as an eco / biodiversity park and make it a good bird sanctuary.*
- (ix) *Considering the circumstances, parties are directed to bear their respective costs in the respective applications.*
- (x) *The Registry is directed to communicate this order to the Chief Secretary, State of Tamil Nadu, Principal Secretary for Environment and Forest, Principal Secretary for Revenue, Principal Secretary for Public Works Department, Additional Chief Secretary for Municipal Administration and Water Supply, Principal Chief Conservator of Forest (Head of Forest Force) and Chief Wildlife Warden, Commissioner Land Administration, District Forest Officer – Chennai who is in charge of the Pallikaranai Marshland, the Commissioner – Greater Chennai*

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Corporation, the Managing Director / Chairman – Chennai Metropolitan Water Supply and Sewerage Board and the concerned District Collector in whose jurisdiction the entire marshland falls, Chairman - Tamil Nadu Pollution Control Board for their information and compliance of directions.

(xi) As and when the periodical report is received, the Registry is directed to place the same before the Bench for consideration and issuing necessary directions, if any required in this regard.

4. With regard to Para (i) of the order, it is respectfully submitted that, an extent of 697.88 Ha of Pallikaranai Marsh is under the administrative control of Pallikaranai Range of Chennai Division as detailed below.

Sl. No	Name of the Department from whom land received	Area received in Hectare	Government order details
1	Revenue Department	317.00.0	G.O.Ms.No. 52 E & F (FR-14) department dated 09.04.2007
2	Greater Chennai Corporation	170.40.5	G.O.Ms.No.127 Municipal Administration & water supply (MC-I) department dated 24.12.2012
3	Revenue Department	131.55.0	Kancheepuram District Gazette No.6 dated 01.07.2013
4	Revenue Department	75.93.0	G.O.Ms.No.147 Revenue (LD - IV) department dated 2.5.2014
5	Revenue Department	3.07.8	Thasildar, Shollinganallur Taluk Ref. No. 11000/2003 B1 dt.03.12.2020
		697.88.0	

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5. It is respectfully submitted that while receiving the Marsh lands from Revenue Department and Greater Chennai Corporation, during 2007 and 2012 respectively, encroachments already existed were not deleted and the land was taken over by the Forest Department along with the encroachments. DGPS Survey was conducted by the Survey Settlement and Land Records Department and as per the Map prepared by the Assistant Director, Survey and Land Records, Chennai Dated.18.02.2025 Forest Department is possessing Pallikaranai Marsh Land to the extent of 697.98 Hectares.

6. Within this 697.98 Hectares, there were 5 encroachment areas namely, Kandan Nagar – 3.92 Hectares, Kamatchi Nagar and Quid-E-Milleth Nagar – 10 Hectares, Ambedkar Nagar 4.88 Hectares and Mahalakshmi Nagar 2.91 Hectares. Around 1085 families are dwelling in these encroachment areas. Bio-Metric Survey was completed in Ambedkar Nagar and Mahalakshmi Nagar areas. On 22.11.2024 a special team consists of Forest, Police, Revenue, TANGEDCO, Greater Chennai Corporation, Fire and Rescue Service and TN Urban Habitat Development Board officials jointly evicted the encroachments at Mahalakshmi Nagar. About 52 families were evicted from the area and were relocated at TNUHDB tenement at Semmanchery on the same day itself.

7. Simultaneously, the encroached buildings were demolished by engaging machines. At last, about 62 encroached houses, 1 temple and 1 church was demolished. About 2.91 Hectares area was recovered. Necessary protection is being done at the encroached area by frequent patrolling and continuous monitoring. The See-Through Barrier Wall (Compound Wall) is already proposed for construction around the encroachment during 2025-26.

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8. It is also submitted that, it is proposed to conduct eviction process at Dr.Ambedkar Nagar on 27.11.2024 and one Tmt.Vasanthi W/o. Balu, filed a writ petition in W.P.No.35584 of 2024 to stay the further proceedings of Forest department in the process of eviction of Dr.Ambedkar Nagar encroachers and the subject matter under sub judice.

9. It is respectfully submitted that apart from the above said 697.98 Hectares, Greater Chennai Corporation owns 176.54 Hectares, Mass Rapid Transits System (MRTS) owns 38.25 Hectares, National Institute of Wind Energy owns 1.93 Hectares, State Highways Department owns 12.47 Hectares, National Institute of Ocean Technology owns 20.71 Hectares, ELCOT owns 152.88 Hectares and Water Resource Department owns 35.68 hectares of land in Pallikaranai Marsh.

10. It is respectfully submitted that Forest Department is taking effective steps to protect and restore the Marsh land under its administrative control. In order to assess the exact topography, analysis in changes of water body dynamics, hydrological status and changes over the year, feasibility to increase the water holding capacity and for future management Bathymetry Survey was conducted at Pallikaranai Marsh through National Centre for Sustainable Coastal Management (NCSCM), Chennai on the request of Tamil Nadu State Wetland Authority.

11. With regard to para (ii) of the order, it is respectfully submitted that a High Level Committee under the Chairmanship of Chief Secretary, Tamil Nadu was formed vide G.O.(D) No.266, Environment, Climate Change and Forest (FR.5) Department, Dated: 21.11.2022. The 1st meeting of this High Level Committee was held on 23.01.2023 at the Chief Secretary's Conference Hall, Secretariat, Chennai-09. The 2nd High Level Committee meeting was held on 12.04.2024.

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12. With regard para (iii) of the order, it is respectfully submitted that by order dated 07.03.2016 in O.A. No.51 of 2016 (SZ), this Tribunal had restrained the 6th Respondent / The President, Beluah Nagar and Periya Mutharamman Nagar Plot Owners association from proceeding with further work taking into account the necessity to protect the interest and maintaining of marshland for the benefit of the environment. So, an interim injunction was passed against the 6th Respondent restraining them from proceeding further from any activities in the water body. Till now no new buildings were constructed in the land belongs to 6th respondent.

13. With regard para (vi) of the order, it is respectfully submitted that this para pertains to Tamil Nadu Pollution Control Board. It is submitted that this subject was discussed during the High level Committee conducted on 12.04.2024 under the chairmanship of Chief Secretary, Tamil Nadu. The Joint Chief Environmental Engineer, TNPCB informed that water samples is being collected from 6 major locations of Pallikaranai Marsh for every three months and quality test is being done. As per the direction given by the High level Committee joint inspection was conducted on 24.04.24 and 23.05.24, by the Tamil Nadu Pollution Control Board (TNPCB) along with the Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB) and Forest Department. The inspection covered 27 inlet points in the marshland, as well as 22 additional points where water is being discharged into the marshland was identified, resulting in a total of 49 inlet/outfall points and 8 pipelines were identified in the marshland ecosystem. During these inspections, the TNPCB collected water samples from major inlet channels for quality analysis.

14. With regard para (vii) of the order, it is respectfully submitted that this para pertains to Greater Chennai Corporation and Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB). It is submitted that this

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subject was discussed during the High level Committee conducted on 12.04.2024 the Chief Secretary, to CMWSSB to Geo tag the Sewage pipeline passing through the marsh land in coordination with TNPCB and measure the flow at the outlet point using flow meter to ensure that entire sewage water reaches the STP without any leakages into Marsh. The Chief Secretary also gave instructions to incorporate appropriate latest technological monitoring system for this work and submit the status report through online portal.

It is therefore humbly submitted that the above said fact may be taken into consideration by this Hon'ble National Green Tribunal (SZ), Chennai and pass necessary orders as it deems fit and thus render justice.


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VERIFICATION

I V.A.Saravanan, S/o Late AyyanKutty, aged about 56 years the above-named deponent do hereby verify that the contents of the above affidavit are true and correct on the basis of official record maintained by the Respondent No. 10, in O.A.No.51 of 2014 (SZ), no part of it is false and nothing material has been concealed there from.

Verified at Chennai on this the 17th day of July, 2025.


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