

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 91 of 2023 (SZ)

IN THE MATTER OF:

SUO MOTU based on the news item published

On “The New Indian Express”, Chennai

E- edition dated 30.06.2023, “ Road being laid

inside marshland in Perumbakkam”.

...Applicant(s)

Versus

The Director,

DTCP, Tamil Nadu and Others

...Respondent(s)

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Through
D. D. Shanmuganathan
Standing Counsel
National Green Tribunal
Southern Zone

DATE: 17.10.2024

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,
CHENNAI
Original Application No. 91 of 2023 (SZ)

Tribunal on its own motion SUO MOTU based on
the news item published in 'The New Indian Express',
Chennai E-edition dated 30.06.2023,
"Road being laid inside marshland in Perumbakkam"

.....Applicant

Verses.

- 1) Director Directorate of Town and Country Planning (DTCP),
2nd, 3rd & 4th Floor, C&E Market Road,
Koyambedu, Chennai, Tamil Nadu.
- 2) District Collector,
Chengalpattu Collectorate,
GST Road, Chengalpattu.
- 3) Additional Chief Secretary Department of Environment & Climate Change,
No.1, Jeenis Road, Panagal Building, Ground Floor,
Saidapet, Chennai, Tamil Nadu.
- 4) Member Secretary Tamil Nadu State Wetland Authority,
Panagal Maligai, Saidapet,
Chennai, Tamil Nadu.

....Respondents

**INDEPENDENT REPORT FILLED BY THE DISTRICT COLLECTOR,
CHENGALPATTU**

I, S.Arunraj, S/o. R.Samuthira Pandiyan, male, aged about 31 years residing
at the Collector's bungalow, Chengalpattu, discharging duties as District Collector,
Chengalpattu, do hereby solemnly affirm and sincerely state as follows:-


DISTRICT COLLECTOR
CHENGALPATTU

(3/6)

It is submitted that the Tribunal based on the news item in Tamil Newspaper the New Indian Express, Chennai, edition, dated 30.06.2023, captioned "Road being laid inside marshland in Perumbakkam" has SUO MOTU taken up the subject matter for the adjudication.

It is submitted that in the above case a detailed report by the District Collector Chengalpattu submitted before the Hon'ble Tribunal on 17.09.2024. Subsequently, when the above case came up for hearing on 17.10.2024, the Hon'ble Tribunal was pleased to issue the following direction:-

"1. The District Collector had earlier filed a compliance report dated 22.09.2023, in which, the tabular column detailing the Perumbakkam Eri and building the road and about the marshland is provided. It is further stated that as per 1911 Revision Survey Resettlement (RSR) Paisathi Register, the Survey No.286/1 and 2 are classified as „Government Wetlands" and as per the UDR 'A' Register, the same survey numbers have been described as „Ryot Nanjai" and the pattadars names are given.

2. In the subsequent report dated 17.09.2024, the District Collector (Mr. S. Arul Raj) had stated that "as per the 1911 RSR record in respect of Perumbakkam Village in Chengalpattu District, Survey No.286 is a patta land wherein Ryotwari patta had been granted to private individuals. The aforesaid pattas are „Ryotwari pattas" and therefore, cannot be categorized as conditional pattas."

3. In this regard, we direct the District Collector – Chengalpattu to clarify the same and produce the documents in support of the above statement. In the meanwhile, it is to be noted that the marshland has not yet been surveyed by the Government.

4. Therefore, we also direct the Director – Survey and Settlements Department to do the survey of the entire marshland as per the revenue records in 1911 and file a report. Let the sketch be prepared based on the survey report so as to identify the entire marshland as in 1911 and the marshlands available as on date."


DISTRICT COLLECTOR
CHENGALPATTU

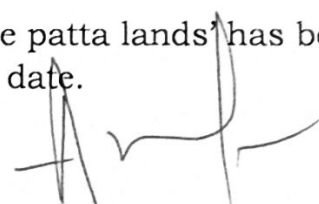
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Pursuant to the aforesaid order of the Hon'ble Tribunal, the available revenue records since the year 1911 were perused by the respondent, and the following facts could be made out during such exercise.

1. As per the records, Perumbakkam village is originally a Ryotwari Village. The entire village of Perumbakkam consisted of 2055.60 Acres of Land as per the RSR Register.
2. As per the Revision Survey Re-settlement Register (RSR of 1911), the entire land of a particular village was broadly classified into two categories viz., **Government Land** and **Inam Land**. It is pertinent to note here that term Government herein does not denote all the lands comprised in that category are poramboke lands. In fact, the above said category of Government Land' consisted within itself the following sub categories.
 1. Government Wet – Patta wet Lands.
 2. Government Dry – Patta Dry Lands
 3. Government Poramboke – Government Lands
3. The survey numbers under consideration i.e., Survey Nos.286/1 and 286/2 of Perumbakkam village were originally categorised as "**Government Wet**" as per the RSR register and therefore they are patta lands. In fact, the lands comprised in the aforesaid two survey numbers stand in the name of private individuals with specific patta numbers assigned to each patta holder, in the RSR register as specified hereunder.

S.No	Survey number	Classification	Extent (acre/cent)	Patta holder / Inamdar / other ownership
1.	286/1	Government Wetland	1.25	77 Vebuli Nattan
2.	286/2	Government Wetland	2.42	47 Veebathra Gramani

4. The status of the aforesaid survey numbers as 'private patta lands' has been continuing as such since the time of RSR register, till date.


 DISTRICT COLLECTOR
 CHENGALPATTU

(5/6)

5. Since the aforesaid lands under consideration were originally patta lands, during the **Updating Registry Scheme (UDR)**, they were categorised as **'Ryotwari wet'** lands owned by private patta holders. The exact status of the aforesaid patta lands as per the UDR A register is specified hereunder:-

S.No.	Survey Number	Classification	Extent (Hect Ares)	Patta number and Patta holder name.
1.	286/1A	Ryot Nanjai	0.12.5	985. Ragavel Nayakkar
2.	286/1B	Ryot Nanjai	0.38.0	269 Govindasamy
3.	286/2A	Ryot Nanjai	0.32.0	440 Subramani
4.	286/2B	Ryot Nanjai	0.32.5	1110. Velu
5.	286/2C	Ryot Nanjai	0.33.5	393 Siva

6. It is submitted that the lands comprised in the aforesaid two survey numbers have never been classified as Government Poramboke lands throughout the history of those lands since the year 1911, which fact is clearly made out from the available revenue records as described in the preceding paras.

The foregoing facts and documents related to the subject matter are submitted for the kind consideration of the Hon'ble Tribunal and for further orders.

DATE:17.10.2024


DISTRICT COLLECTOR
CHENGALPATTU (6/6)