

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

**Application No. 81 of 2016 (SZ)**

Applicant(s)  
Mr. I.H. Sekar, Social Worker  
Founder & Managing Trustee  
Of Nature Trust, Injambakkam  
Chennai.

Respondent(s)  
Vs. The Secretary, State of Tamil Nadu  
Department of Revenue  
Chennai and others.

Legal Practitioners for Appellant(s)  
Mr. I.H. Sekar, Party in person

Legal Practitioners for Respondents  
M/s. M.K. Subramanian and  
P. Velmani for R-1, R-2, R-3 and R-4  
Mrs. H. Yasmeen Ali for R-5  
Mr. R. Suryaprakash for R-6

Note of the Registry	Orders of the Tribunal
Order No.5	<p>Date: 1<sup>st</sup> September, 2016</p> <p>We have heard the applicant who appeared in person as well as the learned counsel for the respondents. Large number of people who are stated to be living in the seashore have also appeared before this Tribunal and they have made a request that they have been living there for the past 20 years and pursuant to the direction given by this Tribunal dated 21.07.2016, the Revenue Inspector has given notices for eviction.</p> <p>We have perused the earlier order of the Hon'ble High Court of Madras dated 10.10.2014 in Writ Petition W.P. No 27007 of 2008 which states that eviction process has been started even on 28.03.2008. In fact the High Court has made an observation that there has been encroachments by the fishermen in beach area in S.No. 12 classified as Village Site (Grama Natham) and that was extracted from the counter affidavit filed by the Tahsildar, Shozhinganallur. Ultimately the Hon'ble High Court has directed in the light of the report of the Tahsildar with a direction to adhere to the assurance given in the additional counter affidavit wherein the Tahsildar has assured that the encroachers will be removed and the</p>

Writ Petition came to be disposed of with a direction to take appropriate action.

Now, that the fishermen have stated that they have been living in the said area for a long time and it is also said that the Government has put up the construction for them and the people are living there.

We direct the Tahsildar to give the names of encroachers referred in the counter affidavit filed by the Tahsildar before the Hon'ble High Court as elicited in the order of the Division Bench dated 10.10.2014. In the mean time, the persons who are affected by such notices stated to have been issued by the Revenue Inspector, are entitled to file impleadment application with all necessary records.

Considering the plight of these people, we direct the Revenue Inspector who has issued eviction notices against these people, not to precipitate further until further orders are passed by the Tribunal.

The applicant, who has filed the application has made a request for police protection since large number of people who, according to him, are encroachers, are threatening him of the dire consequences. We direct the Government, particularly, the 3<sup>rd</sup> respondent, the Commissioner of Police, Greater Chennai, to provide adequate protection to the applicant I.H.Sekar.

Post this application for further orders on 17.10.2016.

.....J.M.

(Justice Dr. P. Jyothimani)

.....E.M.

(Shri P.S.Rao)