

WWW.LIVELAW.IN
W.P.No.4464 of 2021

THE HON'BLE CHIEF JUSTICE
and
SENTHILKUMAR RAMAMOORTHY, J.

(Order of the Court was made by The Hon'ble Chief Justice)

The order dated March 11, 2021 requiring W.P.No.32672 of 2019 to be tagged with W.P.No.4464 of 2021 is recalled. The two matters will appear independently.

2. In W.P.No.4464 of 2021, considering the everyday complaints received from all over the State regarding waterbodies being encroached on or waterbodies being converted into residential or commercial plots, satellite images of all taluks were directed to be obtained and waterbodies earmarked so that in future it cannot be contended that there was no waterbody where there actually was one. Taluk level and even panchayat level satellite images are necessary to protect the waterbodies. At every level, such maps ought to be maintained so that any encroachment can be addressed immediately and the waterbody not desecrated beyond repair.

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3. The order dated March 2, 2021 required all the taluk level satellite images to be collated for each district and the district-wise satellite images to be maintained in the State secretariat. The idea was that at least as of March 31, 2021 there would be satellite image proof of the existing waterbodies so that in future such surviving waterbodies may be maintained and protected.

4. The exercise appears to have been partially completed. Good reason is given for the failure to complete the work within the time permitted. The State Assembly elections are cited in such regard. It is hoped that the entire exercise is completed by April 30, 2021. It is absolutely imperative that before the waterbodies dry up in the peak summer time, satellite images be downloaded and, thanks to the recent rains, the smaller waterbodies that may have dried up may have sprung back to life. As such, the downloading of all images at the taluk and panchayat level should be completed within a week from date by instructing the revenue officials at the Tahsildar or the Block Development Officer levels to ensure that the downloading of all the satellite images for the relevant taluk or block is completed in the next week or so.

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5. It is submitted on behalf of the State that a soft copy of the images already downloaded has been made-over to the Registrar-General in terms of the order dated March 2, 2021. The Registrar-General should produce both the soft copy and the hard copy, if any, that may have been made over to him by the State.

6. At the end of the day, the larger exercise of correlating the images of the waterbodies as evident from the satellite maps with the revenue records should be completed so that in future there can be no doubt as to the existence of any waterbody or the status of any land when called into question. The downloading of images should be completed within the next seven or ten days as directed above and the exercise of matching the same with the revenue records should be completed by the end of June, 2021.

7. This Court may subsequently require experts from recognised institutions to look into the images as downloaded and the same being matched by the revenue records, at a later stage.

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8. For the moment, the matter will appear on April 29, 2021 for the State to report that the downloading of the images has been completed and for the Registrar-General to indicate what soft copy and other material may have been furnished to him.

9. Since the State is conducting the exercise, the resolution of the maps should be of high order so as to avoid any allegation or possibility of obfuscation.

List on 29.04.2021.

(S.B., CJ.) (S.K.R.,J.)
15.04.2021

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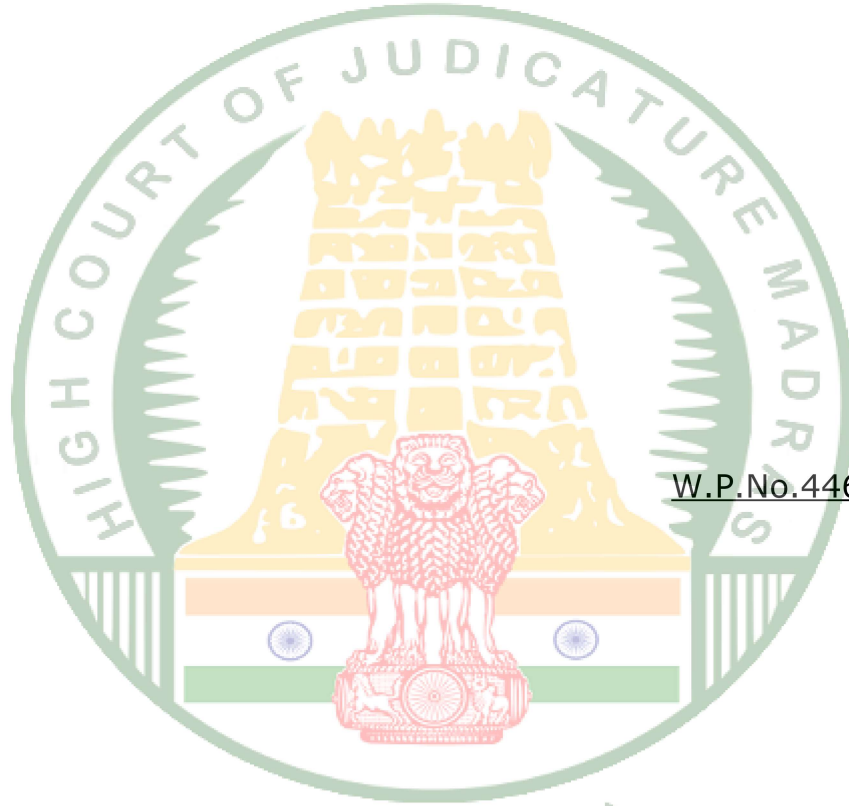
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