



W.P.No.12653 of 2017

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THE HON'BLE CHIEF JUSTICE  
and  
N.MALA, J.

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

The learned Amicus Curiae has produced the wetland maps prepared by the technical experts engaged by him in respect of Tiruvallur District, after taking required information from the Ministry of Environment, Forest and Climate Change, Government of India. The wetland maps of Tiruvallur District were geo-referenced and superimposed on the satellite imagery. The exercise was successful and, accordingly, six different maps have been produced, out of which, the sixth map shows the wetlands as were existing in the year 2011 in Tiruvallur District and the fourth map shows the existing position coming out from the Google images. The next step to be undertaken by the government is actual physical verification of the wetlands before being notified under the Wetlands (Conservation and Management) Rules, 2017.

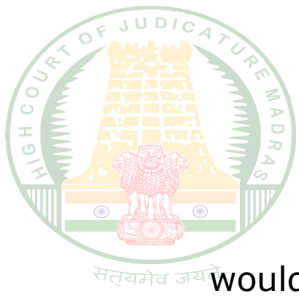


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2. Since the exercise to identification of wetlands in Tiruvallur District was undertaken with the information received from the Ministry of Environment, Forest and Climate Change, Government of India; the Survey of India Maps; and the Google Map images, and it remained successful. It is agreed by learned Additional Advocate General that the State Government would undertake a similar exercise to identify the wetlands in all other districts and for that purpose, the State Government would take technical help from the team engaged by learned Amicus Curiae, so that the wetlands throughout the State of Tamil Nadu may be identified expeditiously, by nominating a team of experts who may undertake a similar exercise as has been undertaken by the team engaged by learned Amicus Curiae.

3. At a first stance, we record our appreciation for the strenuous efforts put in by the learned Amicus Curiae and the team engaged by him in submitting geo-referenced maps of the wetlands in Tiruvallur District, though subject to physical verification by the State. The identification of the wetlands by the aforesaid process



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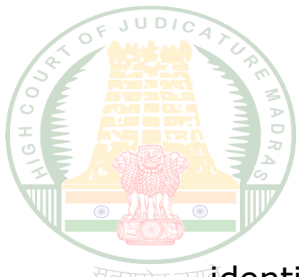
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would pave the way for identification of wetlands in the other districts, where a similar procedure can be adopted.

4. Mr.J.Ravindran, learned Additional Advocate General, submitted that a similar exercise for identification of wetlands would be undertaken by the State Government in respect of all other districts and maps of all the districts would be produced thereupon. This court appreciates the aforesaid stand taken by the State Government.

5. The State Government is permitted to undertake a similar exercise with the guidance and help of the team engaged by learned Amicus Curiae. The initial exercise would be to identify wetlands in all the districts as was existing in the year 2011.

6. After the completion of the aforesaid exercise within two months and preparing maps in respect of the wetlands in all the districts in line with the procedure adopted by the learned Amicus Curiae and his team, the second exercise would be of physical

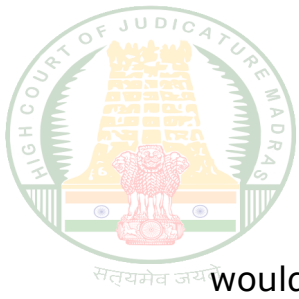


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Identification of those wetlands based on the images, as was  
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7. In the physical process to identify the wetlands, the District Collector would involve a team based on the map images of each district, and that too grid wise, and thereupon, after physical identification of the wetlands, the same shall be notified under the Wetlands (Conservation and Management) Rules, 2017.

8. The exercise aforesaid is required to be undertaken pursuant to the cognizance taken by the Apex Court on the issue and the direction issued to all the States to identify the wetlands, and accordingly, the exercise directed above would be undertaken by the State Government in a phased manner, and at the first instance, they would undertake the exercise of the nature undertaken by the team of experts engaged by learned Amicus Curiae for preparation of the wetland maps of each district, as it was in existence in the year 2011. The aforesaid exercise would be completed within a period of two months. The Government of India



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would share a web link containing the shape and vector files of the wetlands to the State Government to enable them take a Google impression and superimpose it. The State Government can also take the link from learned Amicus Curiae.

9. After completion of the first phase of exercise, physical verification of the wetlands would be the second phase of exercise and it shall be undertaken and completed within a period of two months after getting the images out of the first exercise. After physical identification of wetlands, the third step would be to notify the same under the Wetlands (Conservation and Management) Rules, 2017, which exercise can be undertaken within a period of two months thereupon. After physical identification of the wetlands and before a notification under the Wetlands (Conservation and Management) Rules, 2017 is issued, the State Government would call for public objection, after bringing the plan to the public domain, so that after a proper scrutiny, the notification may be issued under the Wetlands (Conservation and Management) Rules, 2017.



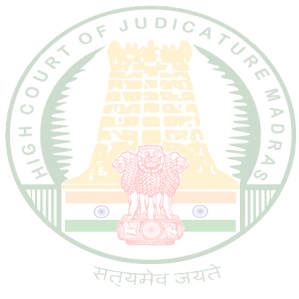
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10. The entire exercise in that regard would be completed within a period of six months.

11. Let this writ petition be listed on 27.10.2022 to enable the State Government to submit the wetland maps of all the districts upon completion of the exercise of the first phase. Thereafter, the case would be posted after two months for completion of the next phase of exercise.

12. To monitor the exercise aforesaid, learned Additional Advocate General is directed to request the Chief Secretary to nominate the Secretary, Department of Environment and Forest, Government of Tamil Nadu, so that with his coordination the entire exercise may be completed. The Secretary, Department of Environment and Forest, Government of Tamil Nadu, will be assisted by a team of advocates, as suggested by learned Additional Advocate-General, who are as follows:



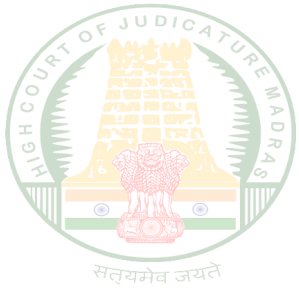
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1. Mr.A.Yogeshwaran;
2. Dr.T.Seenivasan;
3. Ms.M.Sneha; and
4. Ms.ME.Sarashwathy.

13. The aforesaid exercise would be undertaken in reference to districts other than the District of Tiruvallur, as, for the said district, the wetland maps have already been produced. Therefore, physical verification of the wetlands should be undertaken in respect of the wetlands in Tiruvallur District based on the wetland maps prepared and produced before this Court. The exercise of physical verification of the wetlands would be completed within a period of two months and thereupon the maps would be brought to public domain to seek objections. If the objections are not raised or settled, the wetlands would be notified under the Wetlands (Conservation and Management) Rules, 2017. Therefore, for Tiruvallur District, the State Government would immediately start the process of physical verification of wetlands, pursuant to the wetland maps produced before the Court.



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14. List on 27.10.2022.

(M.N.B., CJ.) (N.M., J.)  
26.08.2022

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The Hon'ble Chief Justice  
and  
N.Mala, J.

(tar)

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26.08.2022