



W.P.No.3216 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.No.3216 of 2025

C.Babu

... Petitioner

VS.

1. The District Collector,
Vellore District,
Collectorate, Sathuvachari,
Vellore 632 009.
2. The Revenue Divisional Officer,
Gudiyatham 632 602,
Vellore District.
3. The Tahsildar,
Gudiyatham 632 602,
Vellore District.
4. The Block Development Officer,
(Village Panchayat)
K.V.Kuppam 632 201,
Vellore District.
5. The Village President,
Ammanankuppam Village,
Gudiyatham Taluk,
Vellore District 635 803.

... Respondents



W.P.No.3216 of 2025

Writ Petition is filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the respondents 4 and 5 to restore the cement road situated in S.No.197/5 on the western side of the petitioner's land comprised in S.No.197/6, Ammanankuppam Village, Gudiyatham Taluk, Vellore District, to its original width by closing the temporarily formed channel and prevent the storage of rain water in the petitioner's land as instructed by the respondents 2 and 3 within the time that may be fixed by this Court.

For Petitioner : Mr.P.Rani

For R1 & R2 : Mr.M.Rajendiran
Addl.Govt.Pleader

For R3 & R4 : Mr.M.Murali
Govt.Advocate

ORDER

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The present writ petition has been filed to issue a writ of Mandamus directing the respondents 4 and 5 to restore the cement road situated in S.No.197/5 on the western side of the petitioner's land comprised in S.No.197/6, Ammanankuppam Village, Gudiyatham Taluk,



W.P.No.3216 of 2025

Vellore District, to its original width by closing the temporarily formed channel and prevent the storage of rain water in the petitioner's land as instructed by the respondents 2 and 3.

3. It is the case of the petitioner that he is the owner of the land measuring an extent of 0.28.00 hectares in S.No.197/6 and 0.40.50 hectares in S.No.207/3 and he has been cultivating the said lands for his livelihood and also residing in the house constructed in a portion of the said lands. As per the village map and FMB, there exist a cement road in S.No.197/5 which is classified as road poramboke and the said road is running on the northern side of the petitioner's land. There existed rainwater drainage channels far away from the petitioner's land and the said channels were illegally closed and converted into cultivable lands. Hence, the villagers have illegally formed a channel in the said cement road by cutting and reducing the width of the road into one half to drain the rain water, despite the petitioner's objections. Due to the newly formed channel by encroaching the cement road, the entire rain water is being let into the petitioner's said land without any drainage system and his land is illegally converted into water storage tank. The petitioner is



W.P.No.3216 of 2025

unable to reside in his house and cultivate his lands for his livelihood.

Thereafter, the petitioner sent a representation dated 31.12.2021 to the first respondent. However, the fourth respondent has not taken any steps to close the temporary formed channel and restore the original cement road, even though, the petitioner has approached the respondents. Hence, the petitioner has come forward with the present writ petition.

4. The learned counsel appearing for the petitioner submitted that he has filed W.P.No.20078 of 2022 to restore the Panchayat road by removing the temporary channel, this Court by order dated 05.08.2022 as directed the third respondent to conduct enquiry as per the memo issued by the first respondent and pass necessary orders. Thereafter, the third respondent has sent a letter in ந.க.இ1/91109/2022 dated 26.09.2022 and the proceedings in மு.மு(இ.1)91109/2022 dated 17.10.2022 to the fourth respondent to take appropriate action. Since the 4th respondent has not taken any steps, the petitioner submitted a representation dated 19.02.2024 to the first respondent. Despite the above two proceedings issued by the third respondent, the fourth respondent has not taken any action to remove the temporary channel till date.



W.P.No.3216 of 2025

WEB COPY

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the temporary channel will be closed and the original cement road will be restored, in accordance with law, within a time frame stipulated by this Court.

6. Heard the learned counsel for both sides and also perused the materials available on record.

7. In view of the above submissions made by the learned counsel appearing on either side, the fourth respondent, The Block Development Officer, is directed to take necessary and immediate action to close the temporary channel and restore the panchayat road as per the directions of the third respondent viz., The Tahsildar dated 26.09.2022 and 07.10.2022, within a period of eight weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.3216 of 2025

J.SATHYA NARAYANA PRASAD, J.

kkd

8. This writ petition is disposed of with the above direction. No costs.

03.02.2025

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No
Speaking : Non-speaking order
kkd

To

1. The District Collector,
Vellore District,
Collectorate, Sathuvachari,
Vellore 632 009.
2. The Revenue Divisional Officer,
Gudiyatham 632 602,
Vellore District.
3. The Tahsildar,
Gudiyatham 632 602,
Vellore District.
4. The Block Development Officer,
(Village Panchayat)
K.V.Kuppam 632 201,
Vellore District.
5. The Village President,
Ammanankuppam Village,
Gudiyatham Taluk,
Vellore District 635 803.

W.P.No.3216 of 2025