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W.P.No.34257 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.34257 of 2025

And

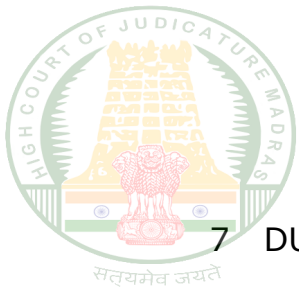
W.M.P.No.38406 of 2025

S.KOKILA

... Petitioner

Vs.

- 1 THE COLLECTOR,
DHARMAPURI DISTRICT.
- 2 THE REVENUE DIVISIONAL OFFICER,
DHARMAPURI DISTRICT.
- 3 THE THASILDAR,
KARIMANGALAM TALUK,
DHARMAPURI DISTRICT.
- 4 THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
KARIMANGALAM,
DHARMAPURI DISTRICT.
- 5 THE CHIEF ENGINEER,
WATER RESOURCES ORGANIZATION,
PUBLIC WORKS DEPARTMENT,
DHARMAPURI DISTRICT.
- 6 THE PRESIDENT,
KAMBAINALLUR PANCHAYAT,
KARIMANGALAM TALUK,
DHARMAPURI DISTRICT.



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7 DURAI

8 KRISHNAN

9 BALARAMAN

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 6 not to put up the Road in Odai comprised in Survey No.385/7 situated at Vedarampatti Village, Karimangalam Taluk, Dharmapuri District in connection with the new proposal made by the respondents and consequently direct the respondents take action against the 7th and 9th respondents and to restore the Odai situated in Vedarampatti Village, Karimangalam Taluk, Dharmapuri District from Mamarathukuttai Village to Mayilampatti Eri in the original state.

For Petitioner : Ms.S.Ambika
for M/s.G.Selvaraj

For Respondents : Mr.P.Muthukumar for R1 to R5
Additional Advocate General
Assisted by
Mrs.S.Anitha
Special Government Pleader
Mr.P.Ganesan for R6
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 6 not to put up the



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Road in Odai comprised in Survey No.385/7 situated at Vedarampatti

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Village, Karimangalam Taluk, Dharmapuri District in connection with the new proposal made by the respondents and consequently direct the respondents to take action against the respondents 7 to 9 and to restore the Odai situated in Vedarampatti Village, Karimangalam Taluk, Dharmapuri District from Mamarathukuttai Village to Mayilampatti Eri in the original state.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property situated in S.No.385/1 to an extent of 2.43 acres, S.No.385/4A to an extent of 63 cents and S.No.385/4B to an extent of 3 ³/₄ cents in Vedarampatti Village, Karimangalam Taluk, Dharmapuri District and inbetween the petitioner's land there is a Odai in Survey No.385/7 and the said Odai is used for draining rain water from the agricultural lands, however, the respondents attempting to lay road in the said Odai. The learned counsel further submitted that this Court and the Hon'ble Apex Court has in various decisions held that water course should not be altered and hence, the attempt made by the respondents is not sustainable one.

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3.The learned Government Advocate submitted that if the said property is classified as Odai, the respondents will not lay road in the property.

4.This Court and the Hon'ble Apex Court has in various decisions held that water course should not be altered. In view of the above, this Court directs the respondents not to alter the water course in Survey No.385/7 either for laying road or for any other purpose. If any road has already been laid in the said Odai, the respondents shall remove the same, within a period of six weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above observations.
No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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