



W.P(MD)No.5123 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.5123 of 2019
and
W.M.P(MD)No.4121 of 2019**

Vivekanandan

... Petitioner

vs.

- 1.The Engineer in Chief (WRO) and
Chief Engineer (General),
Tamil Nadu Public Works Department,
Chepauk,
Chennai - 600 005.
- 2.The Chief Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Planning Formulation/ Design & Maintenance,
Chepauk,
Chennai - 600 005.
- 3.The Chief Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Madurai Region,
Tallakulam, Madurai - 625 002.

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- 4.The Superintending Engineer,
Tamil Nadu Public Works Department,
Water Resources Organization,
Plan Formulation Circle,
Trichirappalli,
Trichirappalli District.
- 5.The Executive Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Planning & Design Division,
Thallakulam, Madurai - 625 002.
- 6.The Assistant Executive Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Planning & Design Sub Division,
Palani Sub Division,
Palani, Dindigul District.
- 7.The Assistant Executive Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Planning & Design Sub Division,
Kodaikanal Sub Division,
Kodaikanal,
Dindigul District.
- 8.The Assistant Executive Engineer (PWD/WRO),
Tamil Nadu Public Works Department,
Water Resources Organization,
Planning & Design Sub Division,
Collectorate Campus,
Dindigul, Dindigul District.



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- 9.The District Collector,
Dindigul District, Dindigul.
- 10.The Revenue Divisional Officer,
Kodaikanal Sub Division, Kodaikanal,
Dindigul District.
- 11.The Block Development Officer,
Kodaikanal, Kodaikanal Taluk,
Dindigul District.
- 12.The Tahsildar,
Kodaikanal, Kodaikanal Taluk,
Dindigul District.
- 13.The Village Administrative Officer,
Mannavanur Village,
Kodaikanal Taluk,
Dindigul District.
- 14.The District Forest Officer,
Mannavanur Range,
Kodaikanal Taluk,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to early construction and completion of Parappar Dam as originally planned to construct across the Kodyethanar River at Mannavanur Village, Kodaikanal Taluk, Dindigul District within the stipulated time fixed by this Court.



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For Petitioner : Mr.A.Saravanan

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The writ on hand has been instituted to direct the respondents to construct and complete the Parapparu Dam as originally proposed, across the Kodyethanar River at Mannavanur Village, Kodaikanal Taluk, Dindigul District, within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that the original proposal submitted for the construction of a permanent dam should be restored, since construction of permanent dam alone will be a permanent solution for the benefit of the people residing in that area.

3.However, the Chief Engineer, Water Resources Organization, Public Works Department, Plan Formulation, has filed a counter-affidavit stating that the proposed site was inspected on 09.08.2016 along with the Divisional



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Revenue Officer, Kodaikanal and Forest Officers. During the inspection, it was observed that two check dams had already been constructed by the Forest Department in close succession. One such dam, N.M.R Kalam Saragam, is located 200 meters downstream of the proposed site. As continuous check dams have been constructed downstream by the Forest Department and since the entire proposed site falls within the Kodaikanal Reserve Forest, the scheme was found to be technically unfeasible. Consequently, a proposal to drop the project was prepared and submitted. On 02.03.2019, the petitioner from Mannavanur Village, Vivekandandan, filed a writ petition before this Court and an order was passed on on 07.03.2019. Further, the scheme details were explained to the District Collector, Dindigul on 23.03.2019. A detailed study was subsequently conducted on 28.03.2019 by the Executive Engineer, Assistant Executive Engineer and Assistant Engineers from the Planning and Design Division, Madurai.

4. When the Chief Engineer of the Water Resources Organization, Public Works Department, has clearly stated that the scheme is not technically feasible and a proposal was submitted to the Government to drop the same, this Court cannot substitute the expert opinion provided by the Engineers nor issuing any



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direction superseding the experts opinion for construction of a permanent dam in the absence of any counter experts opinion.

5.That apart, it is the policy decision to be taken by the Government with the assistance of experts, more specifically, from the Public Works Department and Water Resources Organization. Once such a decision has been taken based on the technical feasibility, no direction as such sought for by the petitioner needs to be considered.

6.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[S.M.S.,J.] & [A.D.M.C.,J.]
26.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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and
DR.A.D.MARIA CLETE, J.

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