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W.P.No.40330 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.40330 of 2025

G.Senthilkumar

... Petitioner

Vs

1.The Superintending Engineer (Highways),
chennai-Kanniyakumari Industrial Corridor Project,
Mannarpuram,
Trichy-620 020.

2.The Divisional Officer (II) (Highways),
Chennai-Kanniyakumari Industrial Corridor Project,
Salem-636005.

3.The Assistant Divisional Engineer (H),
Chennai-Kanniyakumari Industrial Corridor Project,
Sankai-637301.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to Communication bearing Lr.No.38/Court case/General/2025, dt.23.06.2025 on the file of the 2nd Respondent and to quash the same in so far as reply/decision made in S.No.1 and to consequently, direct the Respondents to construct Drainage from Culvert 35/1 to 35/6 of the State Highways (SH-86) situated abutting eastern side of Petitioner's agricultural lands in S.F.No.181/3, S.F.No.166/7, S.F.No.171/4 and S.F.No.169/2 of Manjakalpatti Village, Sankari Taluk, Salem District.



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For Petitioner : Mr.R.Nandha Kumar

For Respondents : Mr.P.Ganesan,
Additional Government Pleader

ORDER

Aggrieved by the impugned communication dated 23.06.2025 issued by the 2nd respondent expressing the non-availability of provision for construction of drainage on the Highways abutting the petitioner's property, the present Writ Petition has been filed seeking quashment of the same.

2. Mr.P.Ganesan, learned Additional Government Pleader takes notice on behalf of the respondents.

3. It is the case of the petitioner that his agricultural lands were acquired by the respondents in the year 2020 under the provisions of Tamil Nadu Highways act, 2001 for the purpose of widening the State Highway Road SH-86, Omalur-Sankari-Tiruchengode-Paramathi Road under Chennai-Kanniyakumari Industrial Corridor Project (CKICP). In execution of the said project, the Respondent Highways Department had formed and constructed Drainage/Drain in Highways to channelize the rain water and sewage water on the highways except the petitioner's property leading to discharge of sewage/drainage water into the petitioner's land thereby the petitioner could not carry on his agricultural operations. Therefore, the petitioner had sent a legal notice dated 25.05.2025 seeking to construct the drainage on both sides of the Highways abutting the petitioner's lands. In reply to which, the present impugned Communication dated



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.06.2025 has come to be issued by the 2nd respondent stating that there is no provision available for construction of such RCC drain in the subject property. Challenging the same, the petitioner has come up with the present Writ Petition.

4. This Court heard the learned counsel appearing on either side and perused the materials available on record.

5. Even a bare perusal of the materials on record reveals that the grievance espoused by the petitioner pertains to the action of the Divisional Engineer/2nd respondent herein with regard to construction of drainage on the highways. Any such grievance, being individual in nature, can be challenged only before the appropriate forum in the manner known to law. Further, the communication which is sought to be impugned in this Writ Petition is merely a communication sent by an Advocate, which is not an order and the same does not give rise to any cause of action warranting interference under Article 226. Therefore, the Writ Petition cannot be maintained.

6. Accordingly, the Writ Petition stands disposed. However, it is made clear that the petitioner is at liberty to work out his remedy in the manner known to law before the appropriate forum. There shall be no order as to costs.

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Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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This petition was listed under the caption “for being Mentioned” at the instance of the learned counsel for the petitioner.

2. When the matter is taken up for hearing, learned counsel for the petitioner submitted that, in the order dated 29.10.2025, in the cause title, the designation of the 2nd respondent has been erroneously shown as the ‘Divisional Officer’ instead of ‘Divisional Engineer’ and therefore, sought necessary corrections in the said order.

3. In view of the above, Registry is directed to carry out necessary corrections in the cause title of the order dated 29.10.2025, by substituting the designation of the 2nd respondent as ‘Divisional Engineer’ in the place of ‘Divisional Officer’ and issue fresh order copies to the parties.

06.02.2026

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