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W.P.No.1338 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1338 of 2026

P.Marathal

... Petitioner

Vs.

1.The Regional Officer
O/o. MORT AND H Regional Office,
C-1A, Rajaji Bhavan, Besant Nagar,
Chennai-600 090

2.The Superintending Engineer
National Highways Department,
Kuranguchavadi,
Omalur Main Road,
Salem -636 004

3.The Divisional Engineer
National Highways,
Gopalapuram, Coimbatore -641 018

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Certiorarified Mandamus, calling for the
records on the file of the 1st Respondent relating to the impugned order



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issued by him in letter

No.RO/Chennai/MoRTH/12017/NH-81/PER/017/2025-26 dated

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16.10.2025 and quash the same and consequently to direct the 1st Respondent to consider and approve the proposal recommended by the 2nd Respondent to the 1st Respondent by permitting the petitioner to take a water line at 1.80m depth across and beneath NH-81 at KM 40/436 from the petitioners sons lands situated in survey No.317/10 of Alugumalai Village, Tiruppur Taluk and District to the petitioners lands in situated in Survey No.116/1B of South Avinashipalayam Village, Tiruppur Taluk and District without any payment to the respondents.

For Petitioner : Mr.N.Subramaniyan

For Respondents : Mr.S.Rajesh, Govt. Advocate

ORDER

This writ petition has been filed for the following reliefs:-

“calling for the records on the file of the 1st Respondent relating to the impugned order issued by him in letter No.RO/Chennai/MoRTH/12017/NH-81/PER/017/2025-26 dated 16.10.2025 and quash the same and consequently to direct the 1st Respondent to consider and approve the proposal recommended by the 2nd Respondent to the 1st Respondent by permitting the petitioner to take a water line at 1.80m depth across and beneath NH-81 at KM 40/436 from

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the petitioners sons lands situated in survey No.317/10 of Alugumalai Village, Tiruppur Taluk and District to the petitioners lands in situated in Survey No.116/1B of South Avinashipalayam Village, Tiruppur Taluk and District without any payment to the respondents.”

2. The petitioner's case is that she had submitted a proposal to the respondents/National Highways authorities seeking permission to lay a water supply pipeline at the extreme end of the National Highway boundary. Pursuant to a site inspection, the Assistant Divisional Engineer and the Assistant Engineer submitted a report to the 3rd respondent stating that the petitioner's proposal was in conformity with the guidelines dated 22.11.2016. Thereafter, the 2nd respondent, being satisfied with the recommendation of the 3rd respondent, forwarded the petitioner's proposal to the 1st respondent. However, the 1st respondent, by the impugned order dated 16.10.2025, returned the petitioner's proposal with the following observations:-

“(i) As per Annexure-I of Ministry's guidelines dated 22.11.2016, utilities are classified as Public Utility/Industrial utility. However, the purpose and classification of instant pipeline is not mentioned in the proposal. The same may be clarified. If the utility is for



Industrial infrastructure, then, a valid license for Industrial operations may be submitted as per Ministry's guidelines.

(ii) The Power of attorney from the authorized signatory is not submitted. It is also not clear whether applicant is an individual or company.

(iii) It is requested to give a power point presentation through Video Conference (along with Videos) for better appreciation of the proposal.”

3. Heard the learned counsel on either side and perused the records.

4. Though the Writ Petition has been filed for the reliefs stated supra however considering the fact that the clarification sought for in the impugned letter dated 16.10.2025 has already been furnished by the petitioner through her letter dated 21.11.2025, the Writ Petition is disposed of with the following directions:-

“The 1st respondent is directed to consider the petitioner’s letter dated 21.11.2025 along with the earlier documents submitted by the



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petitioner and pass appropriate orders, on merits and in accordance with law.”

5. No costs.

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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

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O/o. MORT AND H Regional Office,
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