



WEB COPY



W.P.No.21683 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2024

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 21683 of 2024

C.Palanisamy

.... Petitioner

Vs

1. The Secretary to Municipal
Administration and Water Supply,
Fort St.George, Chennai-600 009

2. The Municipal Commissioner
Directorate of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai-600 028

3. The Commissioner of Coimbatore Corporation
Kadaiveedhi Road,
Coimbatore - 1

4. Assistant Commissioner
South Zone, Coimbatore Corporation,
Palakadu Road,
Kuniymuthur,
Coimbatore-641 008

5. The Tahsildar
Perur Taluk,
Coimbatore



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6. Ramesh Kumar
7. Sumithra Devi

.... Respondents

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Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing 1 and 2 respondents to remove the name board placed by 3rd and 4th respondent in petitioner property bearing the Old survey 72/4-part, new survey No.72/4AG, Sundakamudhur village, Coimbatore Taluk, Coimbatore District to an extent of 4350 sq.ft. of vacant land on the basis of petitioners representation dated 25.6.2024.

For Petitioner	: Mr.S.Venkatesh
For R1 & R2	: Dr.T.Seenivasan Special Government Pleader
For R3	: Mr.K.M.D.Muhilan Standing Counsel
For R4	: Mr.S.Gopinathan Standing Counsel
For R5	: Mr.P.Gurunathan Additional Government Pleader

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 and 2 to remove the name board placed by the third and fourth respondents in the property comprised in Survey No.72/4-part, New Survey No.72/4AG, Sundakamudhur Village, Coimbatore.

2. Heard the learned counsel appearing on either side and perused the materials available on record.



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3. The property comprised in Survey No.72/4-part, New Survey No. 72/4AG, Sundakamudhur Village, Coimbatore Taluk, Coimbatore District, to an extent of 4350 sq.ft. belongs to the respondents 6 and 7. While being so, the petitioner entered into an agreement for sale to purchase the said property from the sixth and seventh respondents. However, the third and fourth respondents were put up a name board in the subject property stating that the said property belongs to the third and fourth respondents. The petitioner, being an agreement holder, has filed this writ petition to remove the name board put by the third and fourth respondents.

4. It is seen that though the petitioner verified the original documents which were produced by the respondents 6 and 7 herein, he doesn't have any right over the property so far as to file this writ petition. That apart, without knowing the subject property, which according to the third and fourth respondents, belongs to them, the petitioner entered into an agreement for sale with the sixth and seventh respondents herein. Even as per the agreement, it is the duty of the sixth and seventh respondents to clear any encumbrance in the subject property. Therefore, without filing a suit as against the sixth and seventh respondents, the



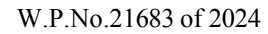
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petitioner simply filed this writ petition to remove the name board put up by the third and fourth respondents in the subject property.

5. In view of the above, the prayer sought for in this writ petition is not at all maintainable. Hence, this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. No costs.

05.08.2024

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



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Kadaiveedhi Road,
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