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W.P.Nos.5625 and 5627 of 2025 and 22586 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.Nos.5625 and 5627 of 2025,

W.P.No.22586 of 2024 and

W.M.P.Nos.6210, 6214 of 2025 and 24608 of 2024

W.P.Nos.5625 and 5627 of 2025

- | | |
|-------------------|---------------------------------------|
| 1. R.S.Palanisamy | ... Petitioner in W.P.No.5625 of 2025 |
| 2. R.Natarajan | ... Petitioner in W.P.No.5627 of 2025 |

-vs-

1. The District Collector,
Collectorate Building,
Coimbatore – 641 018.

2. The Tahsildar,
Taluk Office, Sulur,
Coimbatore-641 402.

3. The Project Director,
National Highways Authority of India,
D.No.11/1, Kongu Nagar East,
Ramanathapuram,
Coimbatore – 641 045.

... Common Respondents

Common Prayer: Petitions filed under Article 226 of the Constitution of India to issue a writ of Certiorari to call for the records pertaining to i) Notice No.NHAI/DGM(T)&PD/PIU CBE/NH-48/2025/166 dated 08.02.2025 and ii) Notice No.NHAI/DGM(T)&PD/PIU CBE/NH-47/2025/167 dated 08.02.2025 issued by the 3rd respondent and to quash the same as illegal and wholly without jurisdiction.



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For Petitioner : Mr.R.Sanjay
For R1 & R2 : Mr.A.Selvendran
Spl. Govt. Pleader
For R3 : Mr.Su.Srinivasan

W.P.No.22586 of 2024

R.S.Palanisamy

... Petitioner

-VS-

1. The District Collector,
7/1, State Bank Rd., Gopalapuram,
Coimbatore – 641 018.
2. The Tahsildar,
Sulur, Market Road,
Near Sri Vaitheeswaran Temple,
Coimbatore-641 402.
3. The Project Director,
National Highways Authority of India,
D.No.11/1, Kongu Nagar East,
Ramanathapuram,
Coimbatore – 641 045.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorari to call for the records pertaining to order passed in Na.Ka.No.6313/2023/A2 dated 12.06.2024 passed by the 2nd respondent and to quash the same as illegal and for consequential orders.

For Petitioner : Mr.R.Sanjay
For Mr.Sharath Chandran
For R1 & R2 : Mr.A.Selvendran
Spl. Govt. Pleader
For R3 : Mr.Su.Srinivasan



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COMMON ORDER

(By.S.M.SUBRAMANIAM,J.,)

Writ Petitions have been instituted, challenging the notice issued by the National Highways Authority of India to evict the petitioners from the National Highways properties.

2. Mr.R.Sanjay, learned counsel for the petitioners would mainly submit that the petitioners purchased the properties in the year 1986 and patta originally stood in the name of the Vendor to the petitioner (R.S.Palanisamy). The petitioners are in possession and enjoyment of the property for more than 35 years and the notice issued under the National Highways Act is infringing the property right of the petitioners. The Tahsildar originally granted patta in the name of the Vendor to the petitioner (R.S.Palanisamy) and subsequently, rejected the application submitted seeking transfer of patta in the name of the petitioner.

3. Learned Special Government Pleader appearing for R1 & R2 would oppose, by stating that patta was not granted in the name of the petitioner (R.S.Palanisamy) by the Tahsildar. An enquiry was conducted and the Tahsildar found that the subject land is classified as Road Poramboke and the property of National Highways Authority is also



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situate. Therefore, the Tahsildar passed orders under Tamil Nadu Patta Passbook Act, 1983 on 19.02.2024 and 12.06.2024, rejecting the application submitted by the petitioner for grant of patta, on the ground that the petitioner has not produced any No Objection Certificate from the National Highways Authority and therefore, patta cannot be granted.

4. In respect of an application submitted seeking patta, Section 3 of the Tamil Nadu Patta Passbook Act, 1983 enumerates that “owner is entitled to get patta passbook by submitting an application”. In the event of any dispute regarding title or ownership, revenue authorities are incompetent to grant patta and such dispute of civil nature is to be adjudicated before the competent Civil Court of law. Revenue Authorities cannot adjudicate or declare title in respect of immovable properties.

5. In the present case, the petitioner (R.S.Palanisamy) has not preferred any appeal, challenging the order of the Tahsildar passed under the Tamil Nadu Patta Passbook Act, 1983. That apart, the Tahsildar in his order states that No Objection Certificate from the National Highways Authority, since not produced, the petitioner is not entitled for patta. Verification of Revenue Records also revealed that the subject property has been classified in the revenue records as Road Poramboke and



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adjacent to the property of National Highways Authority, the property is situate. The entire extent of land in S.No.285 is classified as Government Road Poramboke and in the middle of the said property, National Highways was laid. That being the factum, the petitioners are not entitled for the relief. Any dispute exists regarding title or ownership, the petitioners are at liberty to approach the appropriate forum.

With the above observations, all these Writ Petitions stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S,J.,) (C.K,J.,)
18.12.2025

Index: Yes / No
Internet: Yes / No
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To:

1. The District Collector,
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S.M.SUBRAMANIAM, J.
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