



Writ Petition No.13573 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13573 of 2025
and
W.M.P.Nos.15231 & 15232 of 2025

1. S.Poongodi
W/o.A.Subramani, Door No.9
Jeevanantham Street,
Ragupathinaickenpalayam, Erode
638002, Erode District.

2.S.Kavin
S/o.A.Subramani, Door No.9
Jeevanantham Street,
Ragupathinaickenpalayam, Erode
638002, Erode District.

Petitioner(s)

Vs

1. The District Collector
Erode District, Erode 638011.

2.The Revenue Divisional Officer
Erode, Erode District.

3.Tmt.Bharathi Tamilselvi
W/o.Mr.Radhakrishnan, Door
No.63 Periya Maniyampalayam,
Kandikattuvalasu, Thuiyam
Poondurai Village, Erode 638115,
Presently Residing At No.366/b2



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Ashok Nagar Main, Second Street,
Opposite To N.R.Mahal, Poondurai
Main Road, Erode 638002.

4.Tmt. Rajeswari
W/o.Mr.Rajaram, Door No.11/3-5,
Ayyan Kadu, Rakkiyampatti,
Konganapuram Post Edappadi Taluk
637102, Salem District.

Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari, to call for the records on the file of the second respondent in O.Mu.No.687/2025/A3 dated 28.02.2025 and quash the same.

For Petitioners : Mr.P.Kannan Kumar
For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 and R2

ORDER

This writ petition has been filed challenging the impugned notice issued by the second respondent dated 28.02.2025, wherein the petition given by the third respondent was sought to be acted upon.

2. Heard the learned counsel for the petitioners and the learned Special Government Pleader for the respondents 1 and 2.

3. The grievance of the petitioners is that there is a settlement



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deed in favour of the first petitioner and a lease deed has been executed by the first petitioner in favour of the second petitioner and second petitioner is running a petrol bunk in the subject property. The subdivision was done and patta was also issued in favour of the 1st petitioner and already a suit has been filed in O.S.No.63 of 2025 by the petitioners before the Principal District Munsic Court, Erode seeking for the relief of permanent injunction. Parallely, the third respondent has given a complaint to the second respondent seeking for cancellation of subdivision. Acting upon the same, a notice was issued to the petitioners which has been put to challenge in the present writ petition.

4. The learned counsel for the petitioners submitted that when a civil suit is pending, the third respondent has parallely approached the second respondent and sought for cancellation of the subdivision of the lands which has already been leased in favour of the second petitioner in which the second petitioner is running a petrol bunk.

5. The petitioners have relied upon certain documents and also the patta that stands in the name of the first petitioner after subdivision was made. The petitioners are also placing reliance upon the suit that is pending before the Principal District Munsif Court, Erode, instituted by the petitioners. All these facts can be informed to the second respondent



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and the second respondent can deal with the petition filed by the third respondent and also consider the objections given by the petitioners and pass appropriate orders on its own merits and in accordance with law. Except giving this clarity, no further orders can be passed in this writ petition.

6. The learned counsel for the petitioners submitted that the copy of the complaint given by the third respondent before the second respondent has not been furnished to the petitioners. If that is the case, there shall be a direction to the second respondent to furnish a copy of the representation / complaint given by the third respondent to enable the petitioners to submit their objections along with relevant documents. Thereafter, an enquiry shall be conducted.

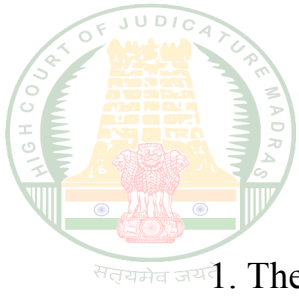
The Writ Petition is disposed of in the above terms. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

21.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
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To

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N.ANAND VENKATESH, J

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