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W.P.No.33791 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33791 of 2025

And

W.M.P.Nos.37921 and 37922 of 2025

A.R.Palanisamy

... Petitioner

Vs.

- 1 THE MANAGING DIRECTOR,
TAMIL NADU HOUSING BOARD,
6TH FLOOR, E-MARKET ROAD,
KOYAMBEDU,
CHENNAI – 600 107.
 - 2 THE SUPERINTENDENT ENGINEER CUM
ADMINISTRATIVE OFFICER,
TAMIL NADU HOUSING BOARD,
COIMBATORE HOUSING DEVELOPMENT DIVISION,
SOWRIPALAYAM,
PEELAMEDU,
COIMBATORE – 641 004.
 - 3 THE EXECUTIVE ENGINEER AND ADMINISTRATIVE OFFICER,
TAMIL NADU HOUSING BOARD,
COIMBATORE HOUSING UNIT,
TATABAD,
COIMBATORE – 641 012.
 - 4 S.GIRIMURUGAN
 - 5 THE INSPECTOR OF POLICE,
COIMBATORE CYBER CELL,
COIMBATORE – 641 018.
- ... Respondents



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Prayer:

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of the first respondent in proceeding No.O.Thu.3(2)/4990/2025 dated 31.07.2025 and quash the same as illegal null and void and consequently direct the respondent Nos.1 to 3 not to evict the petitioner from the petitioner's property to an extent of 6440 sq.ft., vacant land situated at Old Survey No.795/1-Part, New Survey No. 795/1A1, Plot No. Future Development Site, Kalapatty Nehru Nagar Scheme, Kalapatti Village, Coimbatore without following due process of law.

For Petitioner : Mr.S.Venkatesh
For Respondents : Mr.AM.Ravindranath for R1 to R3
R4 – Not Ready Notice
Mr.S.Balaji for R5
Government Advocate (Crl.Side)

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records on the file of the first respondent in proceeding No.O.Thu.3(2)/4990/2025 dated 31.07.2025 and quash the same as illegal, null and void and consequently direct



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the respondents 1 to 3 not to evict the petitioner from the petitioner's property to an extent of 6440 sq.ft., vacant land situated at Old Survey No.795/1-Part, New Survey No. 795/1A1, Plot No. Future Development Site, Kalapatty Nehru Nagar Scheme, Kalapatti Village, Coimbatore without following due process of law.

2.The learned counsel appearing for the petitioner submitted that the subject property was initially allotted to the fourth respondent/ petitioner's vendor vide proceedings of the second respondent dated 07.10.2011 and after paying the entire sale consideration, sale deed was executed in his favour and patta was also granted to him. Thereafter since the fourth respondent faced financial crises, he was not able to put up construction and hence, he decided to sell the property and the petitioner purchased the subject property from the fourth respondent vide sale deed dated 09.03.2020 and patta was also changed in his name. Whiles, the petitioner received summon dated 06.07.2023 from fifth respondent stating that the staffs of Coimbatore Housing Board have illegally allotted the land to 39 persons including the petitioner's vendor and the petitioner was called upon to appear before them on 11.07.2023. The petitioner



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appeared before the fifth respondent and after verifying the documents, the petitioner was allowed to leave their office.

3.The learned counsel appearing for the petitioner further submitted that thereafter, the third respondent compelled the petitioner to sign the papers relating to reconveyance of the land to respondents 2 and 3 and the petitioner refused the same. In this regard, the petitioner made detailed representation to the respondents 1 to 3 on 03.01.2025 and since the same was not considered, filed W.P.No.5488 of 2025 and pursuant to the order of this Court made in the said writ petition, the impugned order was passed.

4.The learned counsel appearing for the petitioner further submitted that at present the petitioner is not insisting for no objection certificate, however, his possession cannot be disturbed without following due process of law.

5.The learned counsel appearing for the respondents 1 to 3 submitted that the petitioner will be evicted only by following due process of law and will not be evicted without following due process of law.



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6. Recording the submission made by the learned counsel appearing for the respondents 1 to 3, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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CHENNAI – 600 107.
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