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W.P.No.33566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.33566 of 2025

and

W.M.P.No.37731 & 37732 of 2025

Elgi Rubber Company Ltd.,
Rep. by its Head Commercial-Srinivasan.M.

..Petitioner

Vs.

- 1 The District Collector, Coimbatore
7/1, State Bank Road,
Gopalapuram, Coimbatore 641 018.
2. The Coimbatore, Coimbatore City Municipal Corporation
Raja Street, Town Hall, Coimbatore – 641 001.
3. The District Revenue Officer,
Coimbatore (South)
Collectorate Building, Coimbatore- 641 018.
4. The Revenue Divisional Officer, RDO,
Coimbatore (South)
Revenue Divisional Office,
State Bank Road, Gopalapuram, Coimbatore- 641 018.
5. The Tahsildar, Coimbatore (South)
Taluk Office, Madunkarrai, Coimbatore.



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Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a writ of certiorarified mandamus, to call for records of the proceedings dated 02.12.2017, on the file of the fifth respondent, insofar as it relates to S.No.198/1A (Part) in Uppilipalayam Village, Coimbatore and to quash the same, as illegal and to direct the fifth respondent to issue patta to the petitioner for the property in S.No.198 /1A (Part) in Uppilipalayam Village, Coimbatore within the time frame fixed by this Court.

For Petitioner : Mr.R.Harikrishnan

For Respondents 1, 3 to 5 : Mr.D.Ravichander
Special Government Pleader

For Respondent-2 : Mr.N.Umapathy

Order

Heard Mr.R.Harikrishnan, learned counsel appearing for the petitioner and Mr.D.Ravichander, learned Special Government Pleader, who takes notice on behalf of the respondents 1 and 3 to 5 and Mr.N.Umapathy, learned counsel, who takes notice for respondent No.2. With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.



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2. This Writ Petition is filed seeking to quash the proceedings of the fifth respondent dated 02.12.2017, insofar as it relates to S.No.198/1A (Part) in Uppilipalayam Village, Coimbatore and to quash the same and to direct the fifth respondent to issue patta to the petitioner for the aforesaid property within the time frame fixed by this Court.

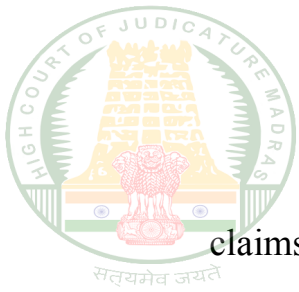
3. Learned counsel for the petitioner would submit that the petitioner is the owner of the property, comprised in S.No.198; that all the revenue records, such as patta, adangal also stands in the name of the petitioner; that the resurvey register issued wayback in the year 1912 also confirms that the properties stood in the name of the ancestors of the petitioner's; that so far as the subject property is concerned, viz., the property comprised in S.No.198/1A, it is a rectangle strip, situated in the middle of the petitioner's office, which was earmarked as a private road to access the properties situated at the rear side and it was precisely for this reason that the revenue authorities had also issued patta to the petitioner and FMB sketch also shows that the subject property was earmarked as road earlier; that



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however, the fifth respondent, the Tahsildar has unilaterally mutated the patta in favour of the second respondent, Coimbatore City Municipal Corporation and also issued a proceedings dated 02.02.2017, in that regard, without issuing any notice to the petitioner and since the petitioner came to know of the such proceeding only in the recent past, the petitioner is not in a position to challenge the same by way of Appeal within the stipulated period of limitation, and hence, the petitioner is constrained to approach this Court seeking for aforesaid relief.

4. The learned Special Government Pleader (T) for the respondents 1, 3 to 5 submits that since the subject property, viz., the property comprised in S.No.198/1A, is a small extent of land, situated appurtenant to the land, which belongs to the Coimbatore City Municipal Corporation, and the petitioner's name was wrongly entered into by the revenue officials by including the said subject property, and the said error has been corrected by make necessary mutation in the revenue records by including the name of the Coimbatore City Municipal Corporation and the same cannot be found fault with. Further, it is submitted that merely because, the petitioner's



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claims to have been in possession of the same for quite considerable time, that per se will not confer title over the property, it is for the petitioner to establish his right/right over the subject property and that if at all, he is aggrieved over the proceeding dated 02.12.2017, right course available to the petitioner is to challenge the said proceeding dated 02.02.2017 by way of Appeal before the Civil Court and at any costs, the dispute/claim raised by the petitioner after a period of eight years is not sustainable and therefore, prays for dismissal of the Writ Petition.

5. A similar aversion is adopted by the learned counsel for the second respondent also.

6. I have given due considerations to the submission made by the learned counsel for the petitioner and the learned Special Government Pleader for respondents 1, 3 to 5 and the learned counsel for the second respondent/Corporation and perused the materials available on record.

7. In the present case, the petitioner claims right/title/interest over



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the property comprised in S.No.198/1A(Part) situated at Uppilipalayam Village, Coimbatore. Per contra, it is averred by the learned Special Government Pleader for respondents 1, 3 to 5 that the said subject property belongs to Coimbatore City Municipal Corporation, however, since the petitioner's land comprised in S.No.198 is situated amidst the land that belonged to the Coimbatore Corporation, the petitioner's name has been wrongly included in the revenue records, by including the subject property, (S.No.198/1 A(Part)).

8. However, as rightly pointed out by the learned Special Government Pleader for respondents 1, 3 to 5, in the present case, mutation of revenue records took place as early as in the year 2017 (i.e. on 02.12.2017) and therefore, if all the petitioner is aggrieved by the proceeding of the fifth respondent dated 02.12.2017, the petitioner has to necessarily challenge the said proceedings by approaching the Civil Forum to establish their right/title/interest over the subject property and this Court sitting under Article 226 of the Constitution of India is not conferred with such power to interfere with the impugned proceeding and to issue direction



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for making corrections in revenue records by quashing such proceeding, that too, after a lapse of eight years.

9. In the result, the Writ Petition is dismissed. No costs.

Consequently, connected Miscellaneous Petitions are closed.

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Index : yes/no

Neutral Citation : yes/no

To

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Krishnan Ramasamy,J.,

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