



WEB COPY

WP No. 43843 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 43843 of 2025
and WMP NO. 49684 OF 2025**

E.Sathyapriya

Petitioner(s)

Vs

1. The District Collector
Coimbatore District,
Coimbatore 641 018.
- 2.The District Revenue Officer
Office Of District Collector,
Coimbatore 641 018.
- 3.The South Revenue Divisional Officer,
Bharatha State Bank Road,
Opposite to Shanthi Theatre,
Coimbatore 641 018.
- 4.The Tahsildar,
Perur Taluk, Siruvani Main Road,
Coimbatore District 641 010.
- 5.The Village Administrative Officer,
Thankarai Village, Perur Taluk ,



Coimbatore District 641 010.

6.The Station Fire Officer,
Fire And Rescue Station ,
Thondamuthur, Coimbatore 641 109.

7.The Inspector Of Police,
R2- Perur Police Station,
Siruvani Main Road, Perur,
Coimbatore 641 010.

8.The Indian Oil Corporation Limited,
Rep. By Its Divisional General Manager,
Coimbatore Divisional Office,
Indian Oil Bhawan, No. 8/1079, Avinashi Road,
Coimbatore 641 018.

9.R. Deivasamy

Respondent(s)

PRAYER; Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus forbearing the respondents 1 to 7 from
granting NOCs to the 9th respondent for establishing petrol bunk in SF No.
12/3A in Thenkarai village (presently coming under Perur Taluk) in
Coimbatore district to the 9th respondent by considering the petitioners
representation/ objection dated 8.08.2025.

For Petitioner(s): Mr.N.Ponraj



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For Respondent: Mr.R.Sreedhar R8
Mr.P.Ganesan, AGP RR1 to 6
Mr.S.Balaji, GA (Crl. Side) R7

ORDER

The Writ Petition has been filed forbearing the respondents 1 to 7 from granting NOCs to the 9th respondent for establishing petrol bunk in SF No. 12/3A in Thenkarai village (presently coming under Perur Taluk) in Coimbatore district to the 9th respondent by considering the petitioners representation/ objection dated 8.08.2025.

2. It is the case of the petitioner that the land measuring 6.41 acres in S.F.No.12/3A in Thenkarai Village in Coimbatore District is the petitioner's ancestral property and the same is an agricultural land. In respect of the above land and other lands, a partition suit was filed between her father and his brothers in O.S.No.1551 of 1997 on the file of the learned Principal District Munsif Court, Coimbatore. In the above suit, a preliminary decree was passed whereby equal share was given to all the parties. Pursuant to that, EP. No.17 of 2015 was filed for delivery of possession before the same Court and the same is



pending. In such background, the petitioner's paternal uncle/9th respondent herein has taken to establish a petrol bunk with the help of the 8th respondent.

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Therefore, the petitioner made a representation on 08.08.2025 to the respondents informing about the un-divided nature of the land and the pendency of the final decree application and further, requested them not to proceed with the application of the 9th respondent for getting NOC and other documents for establishing petrol bunk in the land in S.F.No.12/3A. The same has not been considered. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider the petitioner's representation dated 08.08.2025 and pass appropriate orders within the stipulated time as fixed by this Court.

4. The learned counsel appearing for the 8th respondents submitted that after passing final decree, the property has been shared equally to all the parties. The 9th respondent made application for getting NOC for establishment of



petrol Bunk. If the petitioner has any grievance, she has to approach the competent forum with regard to allotment of the property.

5. Heard the learned counsel for the petitioner as well as the learned Additional Advocate General appearing for the respondents and perused the materials available on record.

6. This Court perused the entire records. On perusal of the same, it is made clear that the claim made by the petitioner is disputed question of facts, which cannot be decided by this Court as well as the revenue officials and the same has to be decided only by the competent civil forum. Further, the petitioner is not a party in the suit. His father is a party in the said suit.

7. Considering the facts and circumstances of the case and the limited relief sought for by the petitioners, this Court, without rendering any opinion on the merits of the case, permits the petitioner to approach the competent Civil Court in EP. Proceedings, in the manner known to law.



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8. In view of the above, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is also closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District Collector

Coimbatore District, Coimbatore 641

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2. The District Revenue Officer

Office Of District Collector Coimbatore

641 018

3. The South Revenue Divisional

Officer

Bharatha State Bank Road, Opposite

To Shanthi Theatre Coimbatore 641 018



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4.The Tahsildar

Perur Taluk, Siruvani Main Road,

Coimbatore District 641 010

5.The Village Administrative Officer

Thankarai Village, Perur Taluk

Coimbatore District 641 010

6.The Station Fire Officer

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