



W.P.No.41233 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.41233 of 2025

Bharathi
W/o Manikandan
No.190, D.B.Road, R.S.Puram,
Coimbatore-641 002.

.. Petitioner

VS

- 1.The Commissioner,
Coimbatore Municipal Corporation,
Victoria Town Hall,
Coimbatore – 641 001.
- 2.The Assistant Commissioner,
Coimbatore Municipal Corporation,
Coimbatore – 641 001.
- 3.The Director,
Directorate of Town and Country Planning Department,
Door No.0, Ground & First Floor,
Petrol Bunk Road, Gandhi Maa Nagar,
Coimbatore – 641 004.
- 4.The Assistant Engineer,
Water Resources Department,
Noyyal West Section,
Coimbatore – 641 001.
- 5.The Executive Engineer,



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Bhavani Sagar Dam Division,
Bhavani Sagar, Erode District.

.. Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents not to lay road/use or act as per the petitioner's Gift Deed Document No.4444/2024 Dated 24.06.2024 on the file of Joint-I Sub-Registrar, Coimbatore in respect of Old S.No.229/2, 591/13, New T.S.No.8 & 9, Ward No.AP(42), Komarapalayam, Perur Taluk, Coimbatore District, pending disposal of the petitioner's representation dated 22.04.2025 as per order dated 22.08.2025 passed in W.P.No.16048 of 2025.

For Petitioner : Mr.M.Venkatesh

For Respondents : Mr.D.Ferdinand (for R1 & R2)

Mr.M.Shajahan, (for R3 to R5)
Special Government Pleader

ORDER

Heard Mr.N.Venkatesh, learned counsel for the petitioner, Mr.D.Ferdinand, learned Special Government Pleader for R1 and R2 and and Mr.M.Shajahan, learned Special Government Pleader for R3 to R5.

2.This is a second round of litigation before this Court. The petitioner had earlier approach this Court by way of a writ petition in



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WP.No.16048 of 2025. In that writ petition, the petitioner sought for a direction to the first respondent herein (who was the sole respondent therein) to present a rectification deed with respect to a gift deed in Document No.4444/2024 on the file of the Joint Sub-Registrar, Coimbatore No.1 in order to rectify the errors found in that document.

3.The petitioner and 11 other persons are the owners of the property at Komarapalayam, Perur Taluk, Coimbatore District. They intended to develop a residential and commercial layout over their holdings. As the condition for grant of layout, the petitioner and other co-owners had executed a gift deed in favour of the first respondent herein. The gift deed was registered in Document No.4444 of 2024. After the execution of the gift deed, it was noticed that certain errors had crept in the survey numbers, ward details as well as measurements. The petitioner immediately brought these aspects to the notice of the first respondent by way of a representation on 09.04.2024. She expressed that she is willing to execute a rectification deed. Despite the same, as no action was forthcoming, she came forward with the aforesaid writ petition. This Court disposed of the writ petition in the following terms:

'6.Without going into the merits of the case, the respondent is directed to consider the representation of the petitioner dated 22.04.2025 after conducting a detailed enquiry by giving due notice to the petitioner,



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affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by the petitioner with regard to the subject matter of the property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.'

4. Despite the same as nothing had taken place, the petitioner is again before this Court by way of the present writ petition.

5. When the writ petition was taken up for hearing Mr.Ferdinand took time to get instructions. I kept the matter back. When I called the matter in the afternoon, Mr.Ferdinand reported that in terms of the order passed by this Court, notice will be issued to the petitioner calling for her explanation by 04.11.2025. He states the petitioner can approach the office of the first respondent and receive the notice in person. He states three days time will be granted to the petitioner i.e., still 07.11.2025 to issue a response. Once the response is received, Mr.Ferdinand states that the first respondent require a maximum of seven (7) working days to pass orders and do the needful.

6. After making the submission, Mr.Ferdinand stated that as the survey is an issue, it might take some more time. There is already an order of Court which was passed as early as in August 2025 and even thereafter three months time have lapsed, it is not difficult for the first respondent to take the assistance of the jurisdictional Tahsildar to ensure



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the necessary survey is done.

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7. Be that as it may, Mr.Shajahan, learned Special Government Pleader states that he will instruct the Tahsildar, Perur, Coimbatore District to assist the first respondent in surveying the property and identifying the same in terms of the gift deed immediately on the first respondent making a request for the said purpose. His statement is recorded. Once the survey is completed, appropriate orders will be passed by the first respondent as agreed by him by 18.11.2025.

8. Recording the aforesaid statement, the writ petition is disposed of. No costs.

9. Call on 19.11.2025 under the caption 'for compliance'.

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

Note:Upload this order on or before 04.11.2025.



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V. LAKSHMINARAYANAN,J.

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