



WEB COPY

W.P.No.11507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.11507 of 2026

Mr.Balasundaram

...Petitioner(s)

Vs

1. The District Collector,
Thiruvallur District,
District Collectorate,
Master Plan Complex, NH-205,
Thiruvallur - 602 001.
2. The District Revenue Officer,
Master Plan Complex, NH-205,
Thiruvallur - 602001.
3. Mr.R.Sureshkumar
S/o.M.Ramamurthy,
No.27, Samypillai Street,
Kovil Pathagai Village,
Alwarpet, Chennai - 600 018.

...Respondent(s)

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and 2nd respondents to consider the petitioner's representation dated 30.12.2025 and pass appropriate orders for cancellation of the no objection certificate granted for establishment and operation of the petrol retail outlet being run by the 3rd respondent at Kovilpathagai Village, Avadi Taluk, Tiruvallur District, within a time frame to be fixed by this Court.



WEB COPY

For Petitioner(s):

Mr.M.Maharaja

For Respondent(s):

Mr.A.Selvendran, SGP for R1 & R2

ORDER

This is a petition filed by the petitioner seeking a direction to respondents 1 and 2 to consider his representation dated 30.12.2025 for cancellation of the no objection certificate granted to the third respondent for the establishment of a petrol retail outlet at Kovilpathagai Village, Avadi Taluk, Tiruvallur District.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for respondents 1 and 2. In view of the limited nature of the relief this Court proposes to grant, notice to the third respondent is dispensed with and the writ petition itself is taken up for final disposal.

3. The case of the petitioner is as follows:

(i) The petitioner is the legal heir of the original purchaser of the property in town survey No.22, old survey No.709, Kovilpathagai Village, Avadi Taluk, Tiruvallur District. He is one among the persons, who are in possession and enjoyment of the same. The petitioner, along with his brother, executed a lease deed on 02.4.2009 registered as doc.No.1904 of 2009 on the file of the Sub-



Registrar, Ambattur in favour of the third respondent, who is none other than his brother's son, for the establishment of HPCL petrol bunk. Later, the petitioner came to know that a petrol retail outlet has been established by the third respondent in the subject property pursuant to the no objection certificate dated 04.2.2009 given by the second respondent.

(ii) The subject property was admittedly classified as grama natham, over which, no private individual could claim absolute right or title. The no objection certificate was issued by the second respondent for the establishment of the petrol bunk mainly based on a provisional/Form 4 patta and erroneous town survey land register entries, which were later found to be illegal, fraudulent and without jurisdiction. Earlier, the petitioner filed W.P.NO.10712 of 2024 seeking a direction to the respondents to consider his representation dated 19.4.2023 for taking appropriate action in accordance with law against the Hindustan Petroleum Corporation Limited (HPCL), Chennai-18 and the third respondent for tampering the revenue records in respect of the subject property. The said writ petition was disposed of on 22.4.2024 with a direction to respondents 1 and 2 to consider the said representation of the petitioner dated 19.4.2023.

(iii) Pursuant to the said order of this Court, an enquiry was conducted by the second respondent and vide proceedings of the second respondent dated 15.11.2024, it was concluded that the petitioner already filed O.S.No.22 of 2016 on the file of the District Munsif Court, Ambattur against the third respondent and the HPCL petrol retail outlet praying for cancellation of the lease deed



dated 02.4.2009 and for permanent injunction, that therefore, since the suit has been pending, the cancellation of the lease deed for not at all possible and that the petitioner was directed to approach the Revenue Divisional Officer, Tiruvallur to cancel the patta that was obtained by producing fraudulent documents.

(iv) Thereafter, the petitioner approached the Revenue Divisional Officer, Tiruvallur by sending a representation dated 03.2.2025. Pursuant to that, the Revenue Divisional Officer, Tiruvallur, vide proceedings dated 07.8.2025, cancelled the patta issued to the third respondent by the Special Tahsildar, Avadi Urban Land Tax Scheme and further directed the Revenue Tahsildar, Avadi to carry out the corrections. According to the petitioner, once the very foundation of the grant of no objection certificate was cancelled, the no objection certificate would automatically lose its legal sanctity. Pursuant to that, the petitioner sent a representation dated 30.12.2025 to the second respondent. As it did not evoke any response, the petitioner is before this Court.

4. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record.

5. In the considered view of this Court, already the petitioner approached the second respondent by sending a representation for the same prayer and after conducting an enquiry, vide proceedings dated 15.11.2024, the second



respondent directed the petitioner to prosecute the civil suit, which has been filed for the very same purpose. The petitioner also got the patta issued in favour of the third respondent cancelled by approaching the Revenue Divisional Officer, Tiruvallur vide proceedings dated 07.8.2025. Hence, it is not proper for this Court to direct the second respondent to once again consider the representation of the petitioner for the very same purpose. Whatever the grievance the petitioner has can be redressed in the pending civil suit.

6. With the above observations, the writ petition is disposed of. It is needless to point out that the petitioner can put forth his case in the pending civil suit. No costs.

27-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

To

1. The District Collector,
Thiruvallur District,
District Collectorate,
Master plan complex, NH-205,
Thiruvallur - 602 001.
2. The District Revenue Officer,
Master Plan Complex, NH-205,
Thiruvallur - 602001.

RLI



WEB COPY

W.P.No.11507 of 2



M.DHANDAPANI,J

RLI

W.P.No.11507 of 2026

27-03-2026