



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S. M.SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

W.P.No.8052 of 2026 AND

W.M.P.No.8709 OF 2026

B.Anbarasi

..Petitioner

-VS-

1. The District Collector
Erode 638 011
Erode District.
2. The Executive Engineer cum
Administrative Officer,
Erode housing Unit,
E.V.N Salai,
Surampatti nall Road,
Erode 638 009
3. The Special Tahsildar
land Acquisition Project,
Neighbourhood Scheme,
Brough Road,
Erode 638 009

..Respondents

Prayer: Call for the records on the file of the 2nd respondents in Letter No. EHU / SS / 196/ 2022 dated 19.01.2026 and consequential eviction order in Letter No. LA 1/ SS / EC 002/ 2023 dated 19.02.2026 and quash the same and consequently direct the 2nd respondent to issue NOC to the petitioner

For Petitioner:

Mr.N.Palanikumar

For Respondent(s):

Mr.U.M.Ravichandran, SGP for R1 & R3
Mr.D.Veerasekaran for R2



ORDER

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(Order of the Court was made by S.M.Subramaniam,J.)

Writ on hand has been instituted, challenging the order dated 19.01.2026, rejecting the request of the petitioner for grant of No Objection Certificate as well as the order dated 19.02.2026 issued for eviction of encroachment, by demolishing unauthorized construction made in a Link Road.

2. Learned counsel for the petitioner would mainly contend that the petitioner had purchased Plot No.6 measuring 1750 sq.ft. in Re-Survey No.504/1, 2, 3, 4 in Erode Village (Old S.No.575/A) by way of a registered sale deed dated 02.02.2011.

3. A perusal of the registered sale deed dated 02.02.2011 would show that the petitioner had purchased the subject property from one Sekar. Therefore, the property was not purchased from Tamil Nadu Housing Board (TNHB).

4. Learned Special Government Pleader appearing for R1 & R3 and the learned Standing Counsel for TNHB / R2 would submit that



lands were acquired for developing a housing scheme and layout was also formed. The petitioner has not purchased the plot from TNHB. The petitioner has encroached upon the Link Road as well as the Plot formed in the layout for usage of purchasers of residential plots in the entire layout.

5. A perusal of the impugned order would show that several notices were issued to the petitioner, more specifically on 04.07.2023, 18.07.2023 and 27.07.2023. Thereafter, TNHB Authorities personally made a request to the petitioner to remove the encroachment for free usage of road as well as the plot belonging to TNHB. Despite steps taken by TNHB, the petitioner, since not evicted the premises and handed over the possession to TNHB, a final notice was issued on 19.02.2026. The request of petitioner for granting NOC was also rejected. If at all the petitioner claims any title or ownership in respect of the land, he has to approach the Civil Court. Writ Court cannot conduct a roving enquiry nor decide the civil rights of parties. Since the petitioner has not established even a semblance of legal right, Writ Petition deserves no merit consideration.



S.M.SUBRAMANIAM J.
AND
C.KUMARAPPAN J.
AR

Consequently, the present Writ Petition is dismissed. No costs. Connected Miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
25-02-2026

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

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