



WEB COPY



W.P.No.7148 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.No.7148 of 2025 & W.M.P.No.7933 of 2025

1. David
2. Kathiravan
3. K.Venkatesan
4. Ganesan

.. Petitioners

Vs.

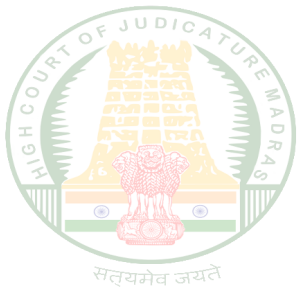
1. The Commissioner
Coimbatore Municipal Corporation
Coimbatore - 641 001.
2. The Assistant Planning Officer
East Division, Coimbatore Corporation
Coimbatore.
3. Karthikeyan
4. Aneethamani

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking for a writ of certiorari, calling for the records of proceedings NIL dated 31.01.2025 on the file of the respondent and quash the same as illegal, incompetent and wholly without jurisdiction.

For the Petitioners : Mr.S.N.Kirubanandam

For the Respondents : Mr.N.Umapathy
for R1 and R2



W.P.No.7148 of 2025

ORDER

WEB COPY

(Order of the Court was made by R.SURESH KUMAR, J.)

Mr.N.Umapathy, learned counsel accepts notice for respondents 1 and 2.

2. Issue notice to respondents 3 and 4, returnable by two weeks. Private notice is also permitted.

3. Heard *Mr.S.N.Kirubanandam*, learned counsel appearing on behalf of the petitioners, who brought to our notice that the land in question, against which the impugned notice has been issued by the first respondent on 31.01.2025, has been purchased by the petitioners in the year 1985 by way of a registered sale deed and since the land has been purchased by them, being a private property that was sought to be acquired for public purpose at one point of time, where notice under Section 4(1) of the erstwhile Land Acquisition Act, 1894, was issued and a declaration has been made and both these notifications have been quashed before this Court. Therefore, according to the learned counsel for the petitioners, the land in question belongs to the petitioners and the first respondent/Corporation or Commissioner or any other Authority under the Commissioner has no authority to issue such notice, as



W.P.No.7148 of 2025

has been issued.

WEB COPY

4. In view of the *prima facie* case made out, there shall be an order of interim stay.

5. Post the matter after four weeks for filing counter by the respondents.

(R.S.K., J.) (A.D.M.C., J)
03.03.2025

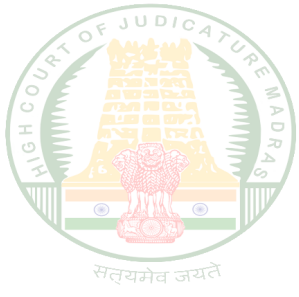
Neutral Citation:Yes/No

Note: Issue order copy on 03.03.2025

drm

To:

1. The Commissioner
Coimbatore Municipal Corporation
Coimbatore - 641 001.
2. The Assistant Planning Officer
East Division, Coimbatore Corporation
Coimbatore.



WEB COPY



W.P.No.7148 of 2025

R. SURESH KUMAR, J.
AND
A.D.MARIA CLETE, J.

(drm)

W.P.No.7148 of 2025

03.03.2025
($\frac{1}{2}$)