

IN THE HIGH COURT OF JUDICATURE AT MADRAS

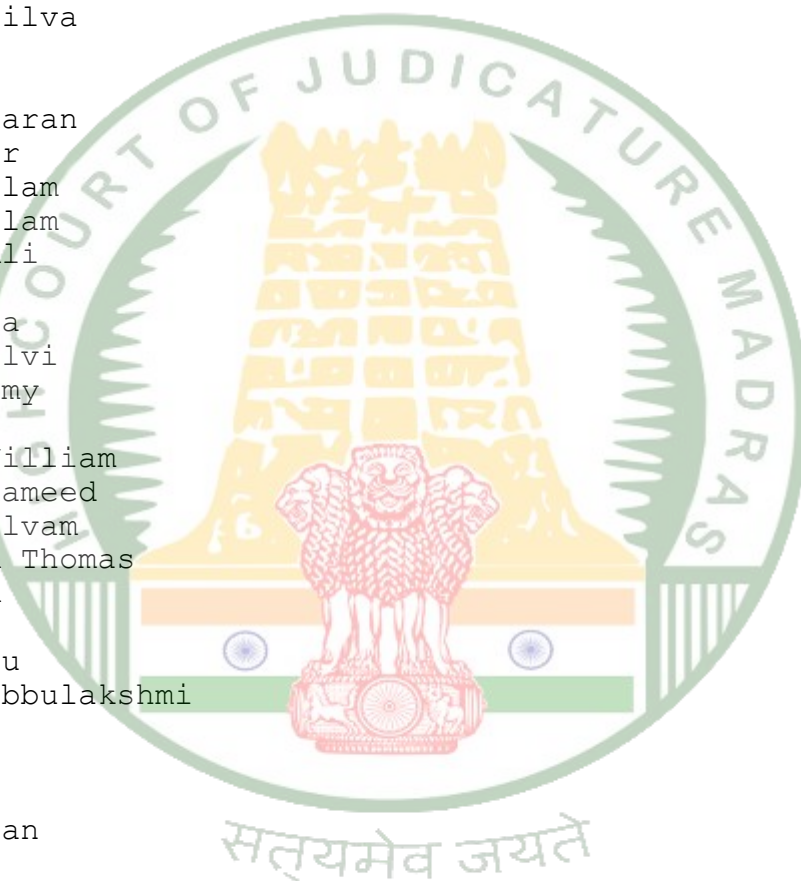
DATED : 30.11.2015

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.38041 OF 2015

- 1.N.Satish Kumar
- 2.A.Willson
- 3.Robert D.Silva
- 4.Premalatha
- 5.G.Raman
- 6.K.Muralidharan
- 7.M.Ravikumar
- 8.A.Arunachalam
- 9.S.Arunachalam
- 10.A.Rafiq Ali
- 11.P.Murthy
- 12.R.Vasantha
- 13.N.Tamilselvi
- 14.A.Rangasamy
- 15.K.Nataraj
- 16.Jenifer William
- 17.Shakul Ahameed
- 18.Panneerselvam
- 19.S.Abraham Thomas
- 20.Shanmugam
- 21.Manimuthu
- 22.R.Vadivelu
- 23.Venkatasubbulakshmi
- 24.S.Kannan
- 25.Ravikumar
- 26.Ruckmani
- 27.K.Saravanan
- 28.N.Saroja
- 29.Hafel Mary Rozarso
- 30.B.R.Satish
- 31.Keerthi Maria
- 32.K.Saravanan
- 33.T.Vincent
- 34.Selvam Gunaseelan
- 35.Sudalaiu Muthu
- 36.A.Mohammed Ismail



WEB COPY

37.D.Saraswathi
38.D.Saraswathi
39.P.Mallika
40.C.S.Palaniamma
41.K.Pushpagandhi
42.Saraswathi
43.T.S.Balasubramaniam
44.S.Jayanthi
45.Maheswari
46.Vennila Velusamy
47.Vennila
48.Alice Sharmila
49.Sree latha Krishnan
50.Prakash
51.Kuttappan
52.Rafiq
53.Manjula
54.Shafiullah
55.Gandhimathi
56.N.Sathish

...Petitioner

Vs

1.The State of Tamil Nadu, rep.by its
Secretary to Government, Housing
and Urban Development Department,
Fort St.George, Chennai-9.

2.The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board, Tatabad,
Coimbatore-12.

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus directing the
second respondent herein to issue N.O.Cs. (No objection
certificates) to the petitioners here in respect of their
housing plots in S.F.Nos.14/2, 15/3, 18/2, 18/3, 19/1 and 21/1
in Ganapathi Village, Coimbatore North Taluk, Coimbatore
District.

For Petitioners : Mr.K.Radhakrishnan
For Respondent-1 : Mr.R.Rajeswaran, SGP
For Respondent-2 : Mr.B.Vivekavanam

ORDER

Mr.R.Rajeswaran, learned Special Government Pleader takes notice for the first respondent. Mr.B.Vivekavanam, learned Standing Counsel takes notice for the second respondent. Heard the learned counsel for the petitioners. By consent, the writ petition itself is taken up for final disposal.

2. The petitioners would state that their lands were acquired for a scheme of the Housing Board. The land acquisition proceedings were challenged in a batch of cases in W.P.Nos.10223 of 1986 etc. batch and the acquisition proceedings were quashed by order dated 10.12.1991. The petitioners would further state that as on date, the acquisition proceedings having been quashed, the second respondent should grant no objection certificates to the petitioners to enable them to develop the property.

3. As rightly pointed out by the learned Standing Counsel for the Housing Board, the representation should be made to the Competent Authority of the Housing Board, since the role of the Special Tahsildar is over after the land acquisition proceedings have been completed and a Declaration under Section 6 has been made.

4. Therefore, the writ petition is disposed of with liberty to the petitioners to submit a representation to the Competent Authority of the Housing Board and if the same is done, the Competent Authority shall consider the petitioners' representations for grant of no objection certificates on merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of such representation. No costs.

Sd/-

Assistant Registrar(CCC)

True Copy

Sub Assistant Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Housing and Urban
Development Department, Fort St.George, Chennai-9.

2.The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board,
Tatabad, Coimbatore-12.

+lcc to Mr.K.Radhakrishnan, Advocate sr.64935
+lcc to The Government Pleader Sr.65215
+lcc to Mr.B.Viveka Vanan, Advocate Sr.65436

WP.No.38041 of 2015

bvr[co]
srg 09/12/2015



WEB COPY