

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.1.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WRIT PETITION NO.760 OF 2016

T.Balamurali

...Petitioner

Vs

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

2.The Special Tahsildar, Land Acquisition,
Housing Scheme II, Coimbatore.

3.The Managing Director, Tamil Nadu
Housing Board, Nandanam Chennai-35.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the third respondent to consider and pass orders on the representation dated 15.9.2015 seeking issuance of a no objection certificate on merits within a time stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondents 1 & 2 : Mr.R.Vijayakumar, AGP

For Respondent-3 : Mr.B.Vivekanandan

ORDER

Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for respondents 1 and 2. Mr.B.Vivekanandan, learned Standing Counsel takes notice for the third respondent. Heard the learned counsel for the petitioner. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner seeks a direction to the third respondent to consider his representation dated 15.9.2015 on merits.

3. The petitioner's land was the subject matter of land acquisition proceedings and it was challenged before this Court by similarly placed persons in a batch of cases. The writ petitions were allowed and the acquisition proceedings were quashed. As against the same, the Housing Board preferred writ

appeals and the writ appeals, as against the order in favour of the land owners, were dismissed by the Honourable First Bench of this Court (to which, I am a party), by judgment dated 14.9.2011. The Housing Board challenged the judgment of the Honourable Division Bench before the Hon'ble Supreme Court in S.L.P.Nos.14582 to 14634 of 2012 and the Special Leave Petitions were dismissed by the Hon'ble Supreme Court on 19.9.2012. In that view of the matter, the petitioner has now sought for no objection certificate from the Housing Board by considering his representation dated 15.9.2015.

4.It appears that the Housing Board has received scrutiny charges from the petitioner and the matter is in progress.

5. In the light of the above, the writ petition is disposed with a direction to the third respondent to consider the representation submitted by the petitioner dated 15.9.2015 in full and effective manner and issue no objection certificate to the petitioner, within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

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

2.The Special Tahsildar,
Land Acquisition,
Housing Scheme II,
Coimbatore.

3.The Managing Director,
Tamil Nadu Housing Board,
Chennai-35.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.1770

+1cc to the Government Pleader, S.R.No.1829

+1cc to Mr.B.Vivekavanam, Advocate, S.R.No.1950(19.05.2016)

WP.No.760 of 2016

bvr (CO)

srg (01/02/2016)