



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 17.03.2017

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P(MD)No.3378 of 2014

C.Senthil Kumar

.. Petitioner

Vs

1. M/s.Tamil Nadu Housing Board,
represented by its Managing Director,
Nanthanam,
Chennai - 35.

2. The Executive Engineer,
Tamil Nadu Housing Board,
Maharaja Nagar,
Tirunelveli and District.

.. Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to issue No Objection Certificate to the property of the Petitioner ad-measuring 9.834 cents situated at S.No.132/3C2D(Old S.No.132) at Sankaraperi Village, Tuticorin and District.

For Petitioner : M/s.B.Rajesh Saravanan

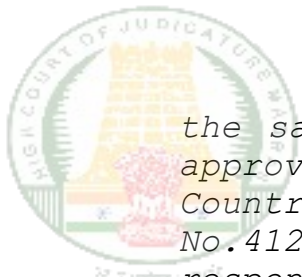
For Respondents : Mr.K.Balasubramanian
Standing Counsel

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the respondents to issue No Objection Certificate to the property of the Petitioner ad-measuring 9.834 cents situated at S.No.132 3C2D(Old S.No.132) at Sankaraperi Village, Tuticorin and District.

2.After notice, Mr.K.Balasubramanian, learned Standing Counsel appeared for the respondents/Tamil Nadu Housing Board and he has filed an affidavit stating the following:

'4.I submit that the Petitioner's land was acquired by the Government after followed the Land Acquisition Proceedings vide 4(1) Notification in G.O.Ms.No.631, Housing and Urban Development Department dated 26.6.1985 and the award was passed vide Award No.2/88 dated 29.7.1988, Thereafter the land was handed over to the respondents for developing the scheme. Having received



the said land the scheme was commenced and the lay out approval was granted by the Directorate of Town and Country Planning, Chennai vide proceedings in LP/DTCP No.412/93 and the scheme developed by the second respondent was also allotted to the general public.''

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3. In view of the above statement made in the affidavit filed on behalf of the second respondent, the relief sought for in the Writ Petition cannot be granted and thus the writ Petition fails.

4. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

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

2. The Executive Engineer,
Tamil Nadu Housing Board,
Maharaja Nagar,
Tirunelveli and District.

+ 1 CC TO Mr.K.BALASUBRAMANIAN, ADVOCATE IN SR No. 15626
+ 1 CC TO Mr.B.RAJESH SARAVANAN, ADVOCATE IN SR No. 15722

VSN

TE/SKN-RSK : 28/03/2017 : 2P/5C

W.P(MD)No.3378 of 2014

17.03.2017



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