

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 10.10.2017

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WEB COPY

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P. (MD)No.15283 of 2017**

J.Karthic Raj

... Petitioner

Vs.

1. The Secretary to the Government,  
Tamil Nadu Housing Board,  
Secretariat,  
St. George Fort,  
Chennai - 600 009.

2. The Managing Director,  
Tamil Nadu Housing Board,  
No.493, Anna Salai,  
Nandanam,  
Chennai - 600 035.

3. The Executive Engineer & Administrative Officer,  
Madurai Housing Unit,  
Tamil Nadu Housing Board,  
Ellisnagar,  
Madurai - 625 010.

... Respondents

**PRAYER:**Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to issue a No Objection Certificate in respect of property measuring to the extent of 3080 square foot which is situated in Old Survey No.14/3, T.S.No.6/2, Ward No.IV, Block 27, Madakkulam Village, Madurai, free from any land acquisition proceedings based on the petitioner's representation dated 07.08.2017.

For Petitioner : Mr.S.Balaji

For Respondents : Mr.M.Alagathevan,  
Special Government Pleader for R.1  
Mr.S.Nagarajan for R.2 & R.3

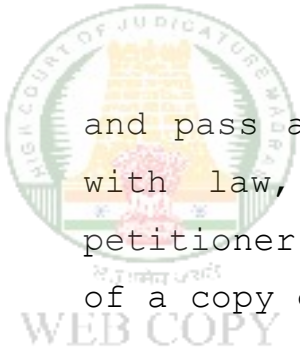
**ORDER**

This writ petition has been filed by the petitioner seeking a Writ of Mandamus, directing the respondents to issue a No Objection Certificate in respect of his property measuring to an extent of 3080 square foot, situated in Old Survey No.14/3, T.S.No.6/2, Ward No.IV, Block 27, Madakkulam Village, Madurai, based on his representation dated 07.08.2017.

2. According to the petitioner, the property in question belongs to one Syed Ibrahim and by registered sale deed dated 22.03.2010, he purchased the same. A perusal of the affidavit filed in support of the petition would reveal that in the year 1978, the authorities had acquired some lands, including the subject property and out of the acquired lands, they had left some portion as unused. After some rounds of litigation, the first respondent by order dated 14.07.2008, informed that No Objection Certificate in respect of the unused lands would be given to the concerned land owners. Thereafter, the petitioner approached the authorities seeking No Objection Certificate for constructing a house in the subject property, by way of representation dated 07.08.2017, which is kept pending, without any action and hence, the petitioner is before this Court.

3. When the matter is taken up for hearing, the learned Counsel for the petitioner submitted that it would suffice, if the representation of the petitioner is disposed of by the respondents, within a stipulated time limit, in the manner known to law.

4. Considering the facts and circumstances of the case and also the limited scope of the relief sought for, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 07.08.2017



and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to the Government,  
Tamil Nadu Housing Board,  
Secretariat,  
St. George Fort,  
Chennai - 600 009.
2. The Managing Director,  
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No.493, Anna Salai,  
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Chennai - 600 035.
3. The Executive Engineer & Administrative Officer,  
Madurai Housing Unit,  
Tamil Nadu Housing Board,  
Ellisnagar,  
Madurai - 625 010.

+1cc to M/S. S.NAGARAJAN, Advocate, SR.No.82379.

+1cc to M/S. S.BALAJI, Advocate, SR.No.82183.

+1cc to Special Government Pleader, SR.No.82281.

W.P. (MD) No.15283 of 2017

10.10.2017

gk

SDS/SV:MMS/SAR 4/12.10.2017/3P/7C