

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.11.2017**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.21899 of 2017**

1.M.R.Banumathi

2.E.J.Amirthamani

3.S.M.Mallika

... Petitioners

Vs.

1. The Tamil Nadu Housing Board,
Rep. by its Chairman,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai - 600 035.

2. The Assistant Secretary
(Administration),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai - 600 035.

3. The Executive Officer
cum Administrative Officer,
Tamil Nadu Housing Board,
Ellis Nagar, Madurai - 625 016.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to issue No Objection Certificate for petitioners' lands in S.No.15/3A, 3B and 3C measuring One Acre in Ponmeni Village, Madurai South Taluk, Madurai based on our representation dated 03.07.2017.

For Petitioners : Mr.M.S.Sureshkumar

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

ORDER

By consent, this writ petition itself is taken up for final disposal.



2. Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the respondents.

3. According to the petitioners, the subject mentioned property belongs to them and the same along with adjacent lands were proposed to be acquired by the respondents in the year 1979. Pursuant thereto, a writ petition came to be filed and the said acquisition notification was quashed and thereafter, the petitioners are enjoying the possession over the same. In the meanwhile, the authorities had also started issuing No Objection Certificates to the respective land owners and the petitioners had also submitted a representation dated 03.07.2017, before the authorities seeking No Objection Certificate. It is their grievance that despite remittance of required fee, their application is kept pending, without any action and aggrieved over the same, they are before this Court.

4. When the matter is taken up for hearing today, the learned counsel for the petitioners submitted that it would suffice, if the representation of the petitioners dated 03.07.2017 is disposed of, by the first respondent, as per law, within a stipulated time limit.

5. Considering the limited scope of the relief sought for, this Court, without going into the merits of the claim, directs the first respondent to consider the representation of the petitioners dated 03.07.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioners as well as all the other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

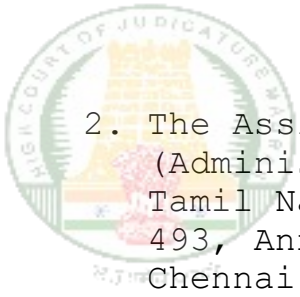
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
The Tamil Nadu Housing Board,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,



2. The Assistant Secretary
(Administration),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam,
Chennai - 600 035.

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3. The Executive Officer
cum Administrative Officer,
Tamil Nadu Housing Board,
Ellis Nagar, Madurai - 625 016.

+ 1 cc TO Mr.M.S.Sureshkumar , Advocate in SR No. 89728
+ 1 cc TO The Special Government Pleader in SR No. 90221

gk

AE/KP/SAR2/11.12.2017/3P/6C

W.P(MD)No.21899 of 2017
28.11.2017