

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2018

CORAM

THE HONOURABLE **MR.JUSTICE R.MAHADEVAN**

W.P.No.2104 of 2018

K.Gunasekaran

... Petitioner

Vs

1.The Special Tahsildar (Land Acquisition)
Greater Chennai Corporation,
Madhavaram,
Chennai- 600 060.

2.The Tamil Nadu Housing Board,
rep.by its Managing Director,
Nandanam, Chennai- 600 035.

3.The Tahsildar,
Revenue Department,
Greater Chennai Corporation,
Madhavaram,
Chennai – 600 060.

(R3 impleaded as per the order of this Court dated 12.02.2018 in WMP.No.3211/2018) ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to transfer the patta in favour of the petitioner without insisting No objection certificate from the 2nd respondent in respect of the petitioner property situated at Plot No.6, Sanjay Nagar, Madhavaram Village, Ambathur Taluk, Thiruvallur District bearing Survey No.1245/2, Madhavaram

Village, Ambathur Taluk, Thiruvallur District measuring an extent of 1950sq.ft within the Sub Registration District of Thiruvallur.

For Petitioner : Mr.E.Martin Jayakumar
For R1 & R3 : Mr.J.Ramesh, AGP
For R2 : Mr.P.Vivekavan

ORDER

The relief sought in this writ petition is to direct the first respondent to transfer the patta in favour of the petitioner, without insisting No objection certificate from the 2nd respondent, in respect of his property in Survey No.1245/2, situated at Plot No.6, Sanjay Nagar, Madhavaram Village, Ambathur Taluk, Thiruvallur District.

2.Today, when the matter is taken up for consideration, the learned counsel for the second respondent produced a copy of the communication bearing No./And/Sur/178A/78 dated 08.10.2018 sent by the Executive Engineer and Administrative Officer, Anna Nagar Division, Chennai-600 101, and submitted that the property belonging to the petitioner is not covered under the land acquisition proceedings, at present and hence, he is required to approach the competent authority for appropriate relief.

3. Recording the submissions so made by the learned counsel for the second respondent, this Court directs the petitioner to approach the third respondent with a fresh representation enclosing all the required documents, within a period of two weeks from the date of receipt of a copy of this order. On such approach, the third respondent shall consider the same, on merits and in accordance with law and pass appropriate orders, after affording an opportunity of personal hearing to the petitioner as well as any other interested parties, however, without insisting no objection certificate from the second respondent, within a period of four weeks thereafter.

4. This writ petition stands disposed of, in the above terms.

No costs.

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Index: Yes/ No

09.10.2018

To

1. The Special Tahsildar (Land Acquisition)

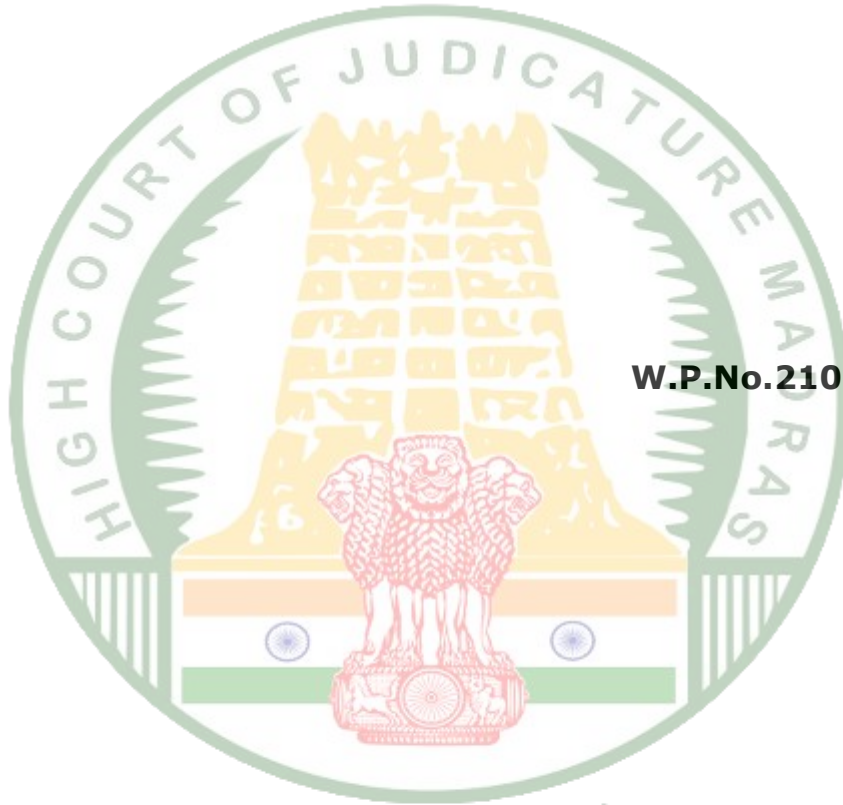
Greater Chennai Corporation,
Madhavaram, Chennai- 600 060.

2. The Tamil Nadu Housing Board,
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R.MAHADEVAN, J.

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