

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.19005 of 2019

C.Govindaraju

...Petitioner

Vs

1.The State of Tamil Nadu,
Rep.by Secretary,
Housing and Urban Development Department,
Fort St.George,
Chennai 600 009.

2.Special Tahsidar(Land Acquisition)
Housing Scheme-1,
Tadabath, Coimbatore-12.

3.The Chairman-cum-Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.

4.The Executive Engineer,
Tamil Nadu Housing Board,
Coimbatore Housing Division,
Tadabath, Coimbatore-12.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to issue No Objection Certificate to the respondents 3 and 4, which is a pre-condition to obtain planning permission in respect of the petitioner's land comprised in S.F.No.82/1, present T.S.No.161/1B, Ward No.23, Block No.13, measuring an extent of 21 cents situate in Ganapathy Village, Coimbatore, within a time frame.

For petitioner : Mr.V.Bhiman
for M/s.Sampathkumar and Associates
For Respondents : Mrs.P.Rajalakshmi
Addl. Govt. Pleader for R1 & R2
: Mrs.R.Gowri for R3 & R4

ORDER

The petitioner herein being the land owner has sought for No Objection Certificate from the Housing Board since the earlier acquisition proceedings have been dropped by the Housing Board. However, the respondents 3 and 4 have not so far considered the

representation of the petitioner herein. Hence, the present writ petition is filed.

2. The learned Standing counsel appearing for the Housing Board would submit that the acquisition proceedings for development of housing scheme was not dropped in entirety, only portion of the area was dropped out from the scheme. The Housing Board has to verify as to whether the land in question is still under the acquisition proceedings or not. The learned Standing counsel would further submit that if the land of the petitioner does not cover under the acquisition proceedings, necessary orders will be passed. He seeks eight weeks time to pass orders on the representation of the petitioner herein with regard to issuance of NOC.

3. Recording the same, this Writ Petition is disposed of with a direction to the respondents 3 and 4 to consider the representation of the petitioner herein to issue NOC to the petitioner's land if it does not covered under the acquisition proceedings. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary, State of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai 600 009.
2. The Special Tahsidar(Land Acquisition)
Housing Scheme-1, Tadabath, Coimbatore-12.
- 3.The Chairman-cum-Managing Director,
Tamil Nadu Housing Board, Nandanam, Chennai-600 035.
- 4.The Executive Engineer,
Tamil Nadu Housing Board, Coimbatore Housing Division,
Tadabath, Coimbatore-12.

+2cc to M/s.Sampath Kumar & Associates, Sr.No.66420

+1 cc to Dr.R.Gouri,Advocate Sr.No.66675

+1 cc to The Government Pleader Sr.No.66733

AKM/ 30.08.19/2P-9C /

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