

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13556 of 2020

P.Santhalingam

... Petitioner

Vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai.
2. The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-35.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 17.08.2020 seeking re-conveyance of the lands having total extent of Acres 13.39 cents comprised in S.Nos.204/3A (5.27 Acres); 204/3B (0.05 Acres); 205/3A (2.36 Acres); 205/3B (0.72 Acres) 226/1A (1.76 Acres) and 226/1B (3.23 Acres) situated in Vilankurichi Revenue Village, Coimbatore North Taluk, Coimbatore District in the name of the petitioner.

For Petitioner : Mr.Jermiah

For Respondents: Mr.E.Manoharan
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of a Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 17.08.2020 wherein the petitioner has sought for re-conveyance of the lands which was already acquired by the first respondent.

2. The petitioner filed an earlier writ petition before this Court in W.P.No.9788 of 2020 and this Court disposed of the writ petition on 04.08.2020. The relevant portions in the order are as follows:

'4. A careful reading of the representation made by the petitioner on 15.03.2019 shows that the properties were already acquired and it has vested with the Tamil Nadu Housing Board. In view of the same, there is no question of the petitioner seeking for a No Objection Certificate and the petitioner must actually seek for re-conveyance of the property, if he is so entitled. Once the Housing Board has become the owner of the property after the acquisition, unless the property is re-conveyed back to the petitioner, seeking for a No Objection Certificate from Housing Board will not serve the purpose.

5. This Court, is therefore, of the considered view that issuing directions to the first and second respondents to consider the representation made by the petitioner will be of no use since such a certificate cannot be granted. It is left open to the petitioner to seek for re-conveyance of the property, if he is so entitled and it is for the respondents to consider the same and pass orders in accordance with law.'

3. Pursuant to the above order, the petitioner made a representation to the respondents on 17.08.2020. The petitioner seeks for a direction to the respondents to dispose of the representation within the time frame fixed by this Court.

4. Heard G.Jermiah, learned counsel for the petitioner and Mr.E.Manoharan, learned Special Government Pleader appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the respondents to consider the representation made by the petitioner on 17.08.2020 and pass appropriate orders strictly in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents along with all the relevant documents and also a copy of this order.

6. The Writ petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

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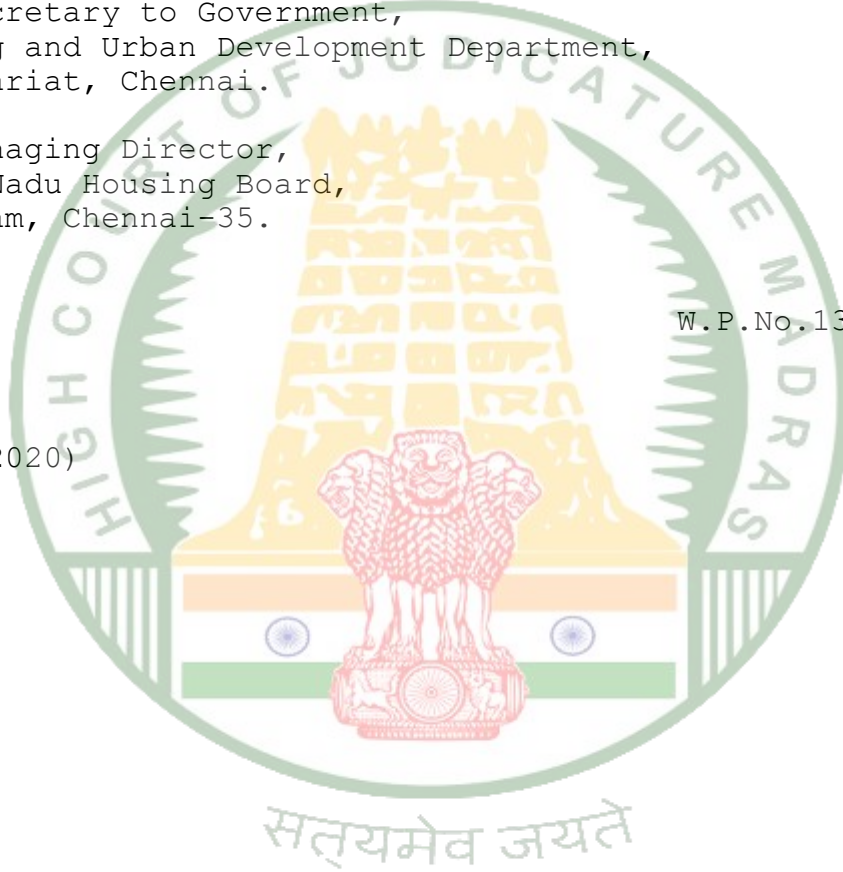
Sub-Assistant Registrar

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W.P.No.13556 of 2020

SSI (CO)
SP(05/11/2020)



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