

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.13590 of 2020

V.Susheela Devi
W/o.late M.Narasimha Reddy

... Petitioner

Vs.

- 1.The District Collector,
Krishnagiri District.
 2. The District Revenue Officer,
Collector's Office,
Krishnagiri District.
 - 3.The Revenue Division Officer,
Sub-Collector's Office,
Denkanikotta Road, Hosur.
 - 4.The Thasildar,
Taluk Office, Hosur.
 - 5.The Tamil Nadu Small Industries Development Corporation Ltd.,
Paulwels Road,
Kathipara Junction,
Chennai 600 016.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to forthwith issue "patta" in the name of the petitioner with respect to the property situated at S.No.671/1 of Hosur Village and pass orders.

For Petitioner : M/s.Adithya Reddy
For Respondents: Mr.S.N.Parthasarathi, for RR1 to 4
Government Advocate.

Mr.Jaseem Mohammed, for R5

ORDER

This writ petition has been filed for the issue of Writ of Mandamus directing respondents 1 to 4 to consider the representation made by the petitioner seeking for issuance of

patta without insisting for a 'No Objection Certificate' from the 5th respondent.

2. When the matter came up for hearing on 05.11.2020, this Court passed the following order:

"Mr. Jaseem Mohammed, learned counsel appearing on behalf of 5th respondent sought for time to file a counter affidavit in this case.

It is seen from records that the earlier acquisition proceedings stood quashed by this Court and according to the petitioner, the 5th respondent does not have any right over the subject property and therefore, there is no requirement for the petitioner to get a No Objection Certificate from the 5th respondent in order to get a patta for the subject property.

This is the short issue that requires consideration in the writ petition.

Post this case under caption "for orders" on 23.11.2020 and in the meantime, the 5th respondent shall file a counter affidavit."

3. Mr. Jaseem Mohammed, learned standing counsel appearing on behalf of the 5th respondent submitted that the 5th respondent has no role to play in the present case since the acquisition proceedings were already quashed by this court by judgment in W.P.No.7153 of 1997 dated 06.11.2003.

4. Heard Mr. S.N. Parthasarathi, learned Government Advocate, appearing on behalf of respondents 1 to 4 and also the learned counsel appearing on behalf of the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in the writ petition, there shall be a direction to the 4th respondent to consider the request made by the petitioner seeking for patta without insisting for a 'No Objection Certificate' from the 5th respondent. The petitioner is directed to make a fresh representation to the 4th respondent along with all relevant documents and a copy of this order and the 4th respondent shall pass appropriate orders within a period of four weeks from the date of receipt of copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1.The District Collector,
Krishnagiri District.

2.The District Revenue Officer,
Collector's Office,
Krishnagiri District.

3.The Revenue Division Officer,
Sub-Collector's Office,
Denkanikotta Road, Hosur.

4.The Thasildar,
Taluk Office, Hosur.

5.The Tamil Nadu Small Industries Development Corporation Ltd.,
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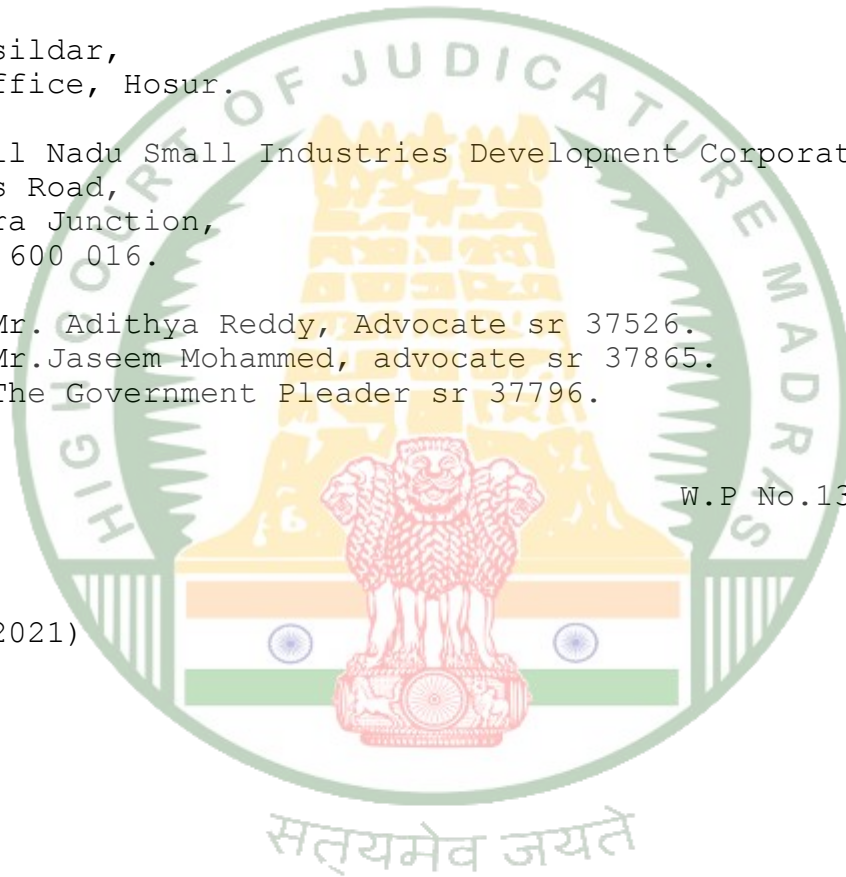
+1 CC to Mr. Adithya Reddy, Advocate sr 37526.

+1 CC to Mr.Jaseem Mohammed, advocate sr 37865.

+1 CC to The Government Pleader sr 37796.

W.P No.13590 of 2020

MP (CO)
SP (08/01/2021)



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