

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.16320 of 2020

G.Balakrishnan

...Petitioner

Vs.

1 The Managing Director
Tamil Nadu Housing Board
No. 33 Anna Salai
Nandanam Chennai 600 035

2 The Executive Engineer
Tamil Nadu Housing Board
Bagalur Road
Hosur 635 109

3 The Special Tahsildar
Tamil Nadu Housing Board
Bagalur Road
Hosur 635 109

4 The Tahsildar
Taluk Office
Hosur Taluk
Hosur 635 109.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 4th Respondent herein to issue patta in respect of the lands lands mesuring 0.60 ½ cents and 0.76 ½ cents in S.F.No. 895/1 and 896/1 respectively totaling 1.36 ½ acres situate at Housur Village and Taluk, Krishnagiri District without insisting NOC from the Respondents 1 to 3 herein within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan

For Respondents 1 to 3: Mr.R.Bharath Kumar

For Respondent-4 : Mr.Annai Ezhil
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the fourth respondent to consider the application given by the petitioner seeking for patta with

respect to the subject property without insisting for 'No Objection Certificate' from the Tamil Nadu Housing Board.

2. Mr. Annai Ezhil, learned Government Advocate appearing on behalf of the fourth respondent submitted that the fourth respondent has already called the petitioner for an enquiry on 27.11.2020 at 3.00 p.m. The learned counsel submitted that the petitioner can be present at the time of enquiry along with all the relevant documents.

3. Heard Mr. K. Govi Ganesan, learned counsel for the petitioner and Mr. R. Bharath Kumar, learned counsel appearing on behalf of the respondents 1 to 3.

4. It is seen from records that two other land owners, who are similarly placed like that of the petitioner, had approached this Court and filed W.P.Nos. 9928 and 9929 of 2017. This Court, after hearing both sides, was pleased to pass final orders on 30.11.2018 directing the Tahsildar to consider the claim of the petitioners therein for grant of patta without insisting for 'No Objection Certificate' from the Housing Board. This Court took into consideration the fact that the entire acquisition proceedings was quashed by this Court in W.P.Nos. 11274 and 11275 of 2014 by an order dated 15.12.2015 and this order had become final.

5. In view of the above, there shall be a direction to the fourth respondent to proceed further with the enquiry in line with the earlier orders passed by this Court and pass appropriate orders strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

-Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar

mra

To

- 1 The Managing Director
Tamil Nadu Housing Board
No. 33 Anna Salai
Nandanam Chennai 600 035

- 2 The Executive Engineer

Tamil Nadu Housing Board
Bagalur Road, Hosur 635 109

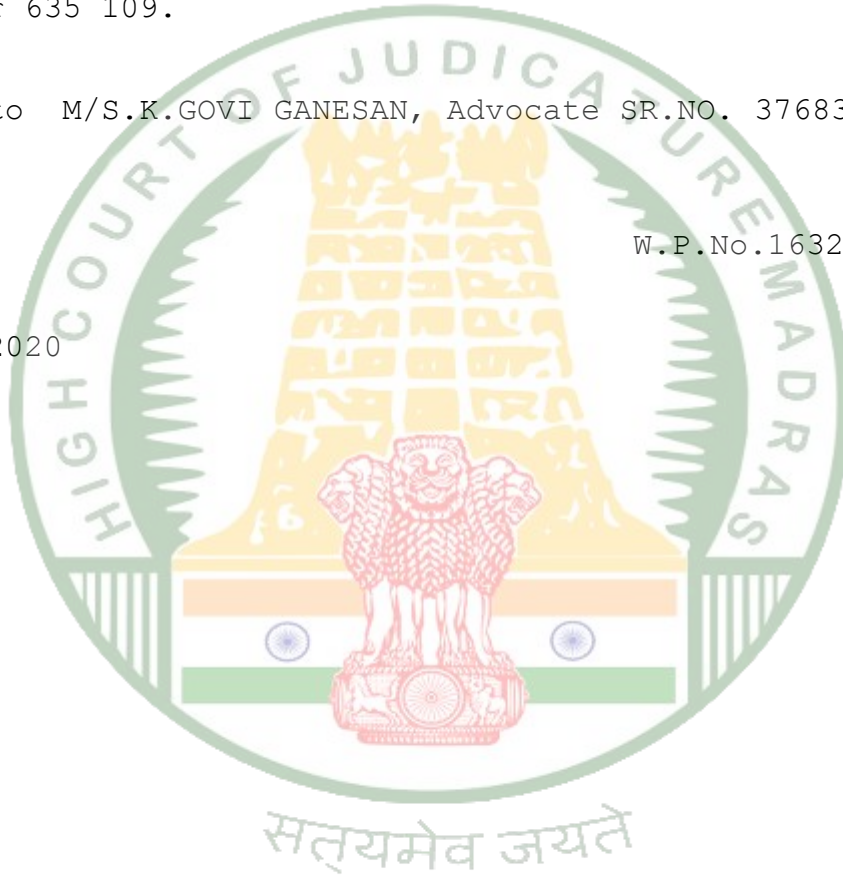
3 The Special Tahsildar
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4 The Tahsildar
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Hosur 635 109.

+ 1 C.C. to M/S.K.GOVI GANESAN, Advocate SR.NO. 37683

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AJJ CO
RR 19/12/2020



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