

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.4441 of 2021
and
WMP.No.5055 of 2021

1.M.Yamunarani
2.K.C.Loghanathan

... Petitioners

Vs.

The Tahsildar
Perur Taluk
Siruvani Main Road
Coimbatore - 641 010

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent herein to issue patta on the petitioner's name for Plot No.96 in TMS Rasayoga Nagar [LP/R (CN) No.109/1981] situated in Survey No.54 at Veerakeralam Village, Perur Taluk, Coimbatore, without insisting no objection certificate from the Tamil Nadu Housing Board pertaining to the petitioner's property.

For Petitioners: Mr.B.Kumarasamy

For Respondent : Mr.M.Manigopi
Government Advocate

ORDER

According to the petitioners, a certain portion of the property in S.F. Nos.54, 55/1 & 55/2 at Veerakeralam Village, Perur Taluk, Coimbatore was notified for acquisition by the Tamil Nadu Housing Board, however possession was not taken. Therefore, the land owners are before this Court to quash the said acquisition proceedings. This Court had allowed those writ petitions, and this had ended in a writ appeal by the TNHB, which came to be dismissed on 25.04.2001. Thereafter, the petitioners have purchased the property in Plot No.96 in S.F.No.54 from his vendor on 26.11.2020. After due registration of the property, he had approached the officials for sub-division and transfer of patta in his name and that necessary charges too have been paid to the registration authority. The request was subsequently forwarded to the Tahsildar, Perur Taluk, the respondent herein, for further action, and that the petitioners himself had approached the respondent on 10.12.2020 and 28.01.2021, who had instructed the petitioners to produce a No Objection

Certificate from TNHB. Hence, this petition.

2. Heard the learned counsel for the petitioners. Mr.M.Manigopi, learned Government Advocate takes notice for the respondents and makes a statement on instruction that the enquiry for the purpose is scheduled to take place at 3.00 p.m., on 11.03.2021 in the office of the respondent. The said statement is recorded.

3. Inasmuch as the date for enquiry is fixed by the respondent, no direction is required to be given, except that the Tahsildar, Perur Taluk is directed to hold an enquiry after issuing notices to all the parties who are likely to be affected by his decision, and after providing the parties a fair and effective hearing and to dispose of the said representation through a speaking order within a period of twelve (12) weeks from the date of service of order copy, subject to such time that may be lost in responsibilities connected with the ensuing General Election of the Tamil Nadu State Legislative Assembly, 2021.

4. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ds

To:

The Tahsildar
Perur Taluk
Siruvani Main Road,
Coimbatore - 641 010.

+1cc to Mr.B.Kumarasamy, Advocate, S.R.No. 11835
+1cc to the Government Pleader, S.R.No. 12756

W.P.No.4441 of 2021

PMK (CO)
GN (23/03/2021)