

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.16599 of 2020

R.M.Lakshmanan

... Petitioner

Vs.

1.The Superintendent,
Tamilnadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 35.

2.The Executive Engineer,
Coimbatore House Unit,
Tamilnadu Housing Board,
Tatabad, Coimbatore - 12.

3.The Special Tahsildar (LA),
Coimbatore Housing Schemes,
Tamilnadu Housing Board,
Tatabad, Coimbatore - 12.

4.The Sub Registrar,
Ganapathy, Coimbatore - 6.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to issue No Objection Certificate vide: Representation dated 17.8.2020, so as to enable the petitioner to deal with his Plot No.31 measuring 262.44 sq.mtr, in all forms of alienation at the office of the 4th respondent.

For Petitioner: Mr.AR.M.Arunachalam

For R1 to R3 : Mr.R.Bharath Kumar, TNHB

For R4 : Mr.T.M.Pappaiah,
Special Government Pleader

O R D E R

This writ petition has been filed seeking for a direction to the 2nd respondent to issue No Objection Certificate vide: Representation dated 17.8.2020, so as to

enable the petitioner to deal with his Plot No.31 measuring 262.44 sq.mtr, in all forms of alienation at the office of the 4th respondent.

2. Admittedly, the 4th respondent has sought for No Objection Certificate from the petitioner only on the ground that there was a land acquisition proceeding pending against the subject property.

3. The learned counsel for the petitioner as well as the learned Standing Counsel for the respondents 1 and 2 would submit that the said land acquisition proceeding came to be quashed by this court in W.P.No.10221, 11123 of 1986 dated 10.12.1991. The learned Standing Counsel on instructions would further submit that since the land acquisition proceeding is quashed, there is no necessity for the Tamil Nadu Housing Board to issue No Objection Certificate for the subject property.

4. After recording the rival submissions, this court directs the 4th respondent to permit registration of the property owned by the petitioner bearing Plot No.31, measuring 262.44 sq.m at S.No.14/2, 15/3 and 18/2, Ganapathy Village, Coimbatore North without insisting on No Objection Certificate from the Tamil Nadu Housing Board.

5. With the aforesaid direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

dsa

1.The Superintendent,
Tamilnadu Housing Board,
No.493, Anna Salai, Nandanam,
Chennai - 35.

2.The Executive Engineer,
Coimbatore House Unit,
Tamilnadu Housing Board,
Tatabad, Coimbatore - 12.

3.The Special Tahsildar (LA),
Coimbatore Housing Schemes,
Tamilnadu Housing Board,
Tatabad, Coimbatore - 12.

4.The Sub Registrar,
Ganapathy, Coimbatore - 6.

+1cc to M/s.R.Bharath Kumar, Advocate SR.14252
+1cc to M/s.AR.M.Arunachalam, Advocate SR.13565
+1cc to the Government Pleader SR.14248

W.P.No.16599 of 2020

RR (CO)
CB (23/03/2021)



WEB COPY