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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.4868 of 2022

P.Paramasivam

... Petitioner

vs.

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai - 600 035.
3. The Executive Engineer and
Administrative Officer,
K.K.Nagar Division,
Tamil Nadu Housing Board,
C-48, T.N.H.B Commercial Complex,
Anna Nagar, 2nd Avenue,
Chennai - 600 040.
4. The Special Tahsildar,
Tamil Nadu Housing Board,
K.K.Nagar Division,
Chennai.
5. The Tahsildar,
Maduravoyal Taluk,
Maduravoyal,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 5th respondent to issue the patta to the petitioner for his land in Plot No.8-A, in Balavinayagar Nagar, situated at Nerkundaram Village, Maduravoyal Taluk, Thiruvallur District, comprise in Survey Nos.284/1A, measuring an extent of 600 sq.ft. land and lying within the Registration District of Chennai South and Sub



Registration District of Virugambakkam.

For Petitioner : Mr.A.Ilaya Perumal

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

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ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus directing the 5th respondent to issue the patta to the petitioner for his land in Survey Nos.284/1A, Plot No.8-A, in Balavinayagar Nagar, situated at Nerkundaram Village, Maduravoyal Taluk, Thiruvallur District.

2. The case of the petitioner is that, the petitioner purchased the property in S.No.284/1A situated in the above said Village from one Savarimuthu by way of Sale deed dated 06.05.2011 on the file of Sub Registrar Office, Virugambakkam vide Document No.2558 of 2011. Thereafter, the petitioner has made representation dated 10.02.2022 to the 5th respondent herein seeking for issuance of Patta in his favour for the property situated in the said Village. While so, the 5th respondent directed the petitioner to obtain No Objection Certificate from the 2nd respondent herein in order to proceed with the issuance of Patta. Against the same, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner fairly concedes that since, the petitioner is ready to obtain No Objection Certificate from Tamil Nadu Housing Board / 2nd respondent herein. Hence, it would suffice if this Court issues direction to the 5th respondent to consider the petitioner's representation dated 10.02.2022 and pass orders on merits within a particular time frame fixed by this Court.

4. The learned Government Advocate for respondents has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 5th respondent to consider the petitioner's representation dated 02.02.2022 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner as well as the 3rd and 4th respondents within a period of twelve weeks from the date of receipt of a copy of



this order.

7. This writ petition is accordingly disposed of. No costs.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rap/nhs

To

1. The Secretary to Government,
Housing and Urban Development Department,
Government of Tamil Nadu,
Secretariat, Chennai - 600 009.
2. The Managing Director,
Tamil Nadu Housing Board,
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5. The Tahsildar,
Maduravoyal Taluk,
Maduravoyal,
Thiruvallur District.

+1cc to Mr.A.Ilaya Perumal, Advocate, S.R.No.15010
+1cc to the Government Pleader, S.R.No.15894

W.P.No.4868 of 2022

PMK(CO)
CT 29/03/2022