



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.9703 OF 2022

C.V.Maathesh

... Petitioner

.Vs.

The State of Tamil Nadu,
Represented by The Chairman,
Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai - 600 035.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein, to scrutinise the request made by the petitioner as per his representation dated 06.06.2020.

For Petitioner : Mr.Anirudh Krishnan

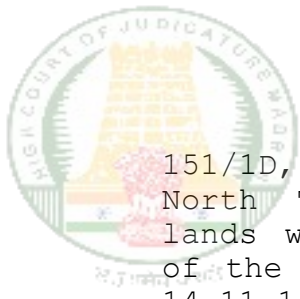
For Respondent : Mr.P.Sathish
Additional Government Pleader

ORDER

The petitioner has filed this petition seeking direction to the respondent to scrutinise the request made by the petitioner as per petitioner's representation dated 06.06.2020.

2. Mr.P.Sathish, learned Additional Government Pleader takes notice for the respondent. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the properties comprised in S.F.Nos.151/1C, 151/1B,



151/1D, all situated at No.13, Villankurichi Village, Coimbatore North Taluk, Coimbatore District. However, the petitioner's lands were acquired by issuing notification under Section 4(1) of the Land Acquisition Act, 1894 in G.O.Ms.No.496 & 439 dated 14.11.1996 & 22.12.1997. Challenging the acquisition proceedings the petitioner had filed a Writ Petition in W.P.No.16778 of 2009 before this Court, this Court by order dated 04.11.2009, quashed the above said acquisition proceedings and held that the acquisition proceedings to be null and void, and that order became final, no appeal has been preferred as against the said order. Thereafter, the petitioner had made a representation dated 06.06.2020, before the respondent for issuance of 'No Objection Certificate (N.O.C) in order to declare his property, though the enquiry was not conducted by the respondent. However, till date no action has been taken by the respondent on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondent to consider the petitioner's representation dated 06.06.2020 within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondent submits that the petitioner's representation dated 06.06.2020 will be considered by the respondent within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondent to conclude the enquiry for issuance of 'No Objection Certificate' (N.O.C) by considering the petitioner's representation dated 06.06.2020, and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

The Chairman,
The Tamil Nadu Housing Board,
No.493, Anna Salai,
Nandanam,
Chennai - 600 035.

+lcc to Mr.Anirudh Krishnan, Advocate, S.R.No.27957
+lcc to the Government Pleader, S.R.No.28234

W.P.NO.9703 OF 2022

SSI (CO)
PBS/10/05/2022