



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.06.2022

CORAM

THE HONOURABLE Mr. JUSTICE ABDUL QUDDHOSE

W.P.No.12884 of 2022

M/s.Subadarsan Property Developers India (P) Ltd.
Rep. by its Managing Director
Sundaram

.. Petitioner

Vs.

Tamil Nadu Housing Board
Rep. by its Chairman and Managing Director
493, Anna Salai
Nandhanam, Chennai 600 037

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to grant a No Objection Certificate to the petitioner company in relation to its property comprised in S.No.835/4, measuring about 1.09(1/4) acres, situated in Kalapatti Village, Coimbatore.

For Petitioner : Mr.K.R.Arun Shabari

For Respondents : Mr.D.Veera Kathiravan
Standing Counsel

O R D E R

This writ petition has been filed for a mandamus seeking for a direction to the respondent to grant No Objection Certificate to the petitioner in relation to its property comprised in S.No.835/4, measuring about 1.09(1/4) acres, situated in Kalapatti Village, Coimbatore.

2. According to the petitioner, the acquisition proceedings initiated against the aforementioned property owned by them has been quashed, by orders of this Court dated 19.09.2007 in W.P.No.15005 of 2007. The petitioner has therefore given a representation to the respondent requesting for issuance of No Objection Certificate in the year 2017. Since the said



representation has not been considered till date, this writ petition has been filed.

3. Heard Mr.K.R.Arun Shabari, learned counsel for the petitioner and Mr.D.Veera Kathiravan, learned Standing Counsel, who accepts notice on behalf of the respondent.

4. The petitioner has filed a copy of the order dated 19.09.2007 passed in W.P.No.15005 of 2007, under which, the land acquisition proceedings initiated against the petitioner's property has been quashed.

5. No prejudice would be caused to the respondent, if the petitioner's representation seeking for issuance of No Objection Certificate on account of the quashing of the land acquisition proceedings is considered on merits and in accordance with law, after affording a fair hearing to the petitioner. Since the representation enclosed along with this writ petition is an undated one, the petitioner will have to give a fresh representation seeking for issuance of No Objection Certificate.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the respondent seeking for issuance of No Objection Certificate for their property comprised in S.No.835/4, measuring about 1.09 (1/4) acres, situated in Kalapatti Village, Coimbatore, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the respondent shall pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting the right of personal hearing within a period of eight weeks thereafter.

With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

gya



To

The Chairman and Managing Director
Tamil Nadu Housing Board
493, Anna Salai
Nandhanam, Chennai 600 037

+1cc to M/s.K.R.Arun Shabari, Advocate, S.R.No.32199

+1cc to M/s.D.Veerasekaran, Advocate, S.R.No.32589

W.P.No.12884 of 2022

PMK (CO)
UMA (21/06/2022)