



WEB COPY



W.P.No.2829 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.2829 of 2023

and

W.M.P.No.9636 of 2023

P.Abraham Jebaraj

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai – 600 035.
- 2.The Deputy Secretary,
Tamil Nadu Housing Board,
CMDA Complex, E & C Market Road,
Koyambedu, Chennai – 600 107.
- 3.The Executive Engineer and Administrative
Officer (in charge),
Tamil Nadu Housing Board,
Anna Nagar Division, Thirumangalam,
Chennai – 600 101.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue NOC to the petitioner housing land situated at Villivakkam Village, Plot No.35, Comprised in Survey No.132 part to an extent of 2174.35 sq.ft. within stipulated time.



W.P.No.2829 of 2023

For Petitioner : Mr.M.Sridhar
For Respondents : Mr.D.Veerasekaran
Standing Counsel

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to issue NOC to the petitioner housing land situated at Villivakkam Village, Plot No.35, Comprised in Survey No.132 part to an extent of 2174.35 sq.ft. within stipulated time.

2. The case of the petitioner is that the petitioner's father namely Pandiarajan purchased a housing plot to an extent of 2174.35 sq.ft. in the year 1979 from a vendor and the vendor's vendor purchased the said property from the Tamil Nadu Housing Board. After the death of the petitioner's father, the petitioner wanted to develop and sell the property. In the meantime, the third respondent by letter dated 12.04.2021 demanded a sum of Rs.25,39,100/- as development charges and the same was duly paid by the petitioner on 05.10.2021. Pursuant to which, the third respondent made recommendation to the second respondent to issue NOC to the petitioner by letter dated 18.10.2021. Even then, the second respondent



W.P.No.2829 of 2023

refused to issue the No Objection Certificate to the petitioner. Hence, the petitioner has filed the present writ petition before this Court for appropriate directions.

3. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the second respondent to issue NOC to the petitioner within a time frame that may be fixed by this Court.

4. The learned Standing Counsel appearing for the respondents would submit that NOC will be issued to the petitioner within a time frame that may be stipulated by this Court to an extent of 2174.35 sq.ft. as per the third respondent letter dated 18.10.2021.

5. In view of the fair submissions made by the learned Standing Counsel, this Court, directs the second respondent to issue No Objection Certificate to the petitioner as per the third respondent's letter dated 18.10.2021, within a period of two (2) weeks from the date of receipt of a copy of this order.



WEB COPY



W.P.No.2829 of 2023

M.DHANDAPANI, J.

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6. Accordingly, this writ petition is disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

31.03.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

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W.P.No.2829 of 2023