



W.P.Nos.21982 to 21992 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.21982 to 21992 of 2018

W.P.No.21982 of 2018:

T.Vijayakumar

...Petitioner

Vs.

1. The Chairman cum Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.

2. The Thasildhar,
Mambalam Taluk,
Office at K.K.Nagar, Chennai-600 078.

...Respondents

Prayer in W.P.No.21982 of 2018:- Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to pass appropriate orders for transfer of patta in the name of petitioner in respect of land in S.No.95/1A in Plot No.6 New No.8, to an extent of 1200 sq.ft in Nesapakkam Village, Mambalam – Guindy Taluk, Chennai District, without insisting No Objection Certificate from Tamil Nadu Housing Board based on the representation submitted by the petitioner dated 09.08.2018, within a time frame to be fixed by this Court.

In all W.P.'s:-

For Petitioner : Mr.G.Sankaran (Senior Counsel)
for Mr.K.Surendran



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For Respondents: Mr.A.M.Ravindranath Jayapal, for R1.
Mr.K.M.D.Muhilan, AGP, for R2.

COMMON ORDER

Since the issue involved in all these Writ petitions are similar in nature, they are disposed of by way of this common order.

2. The above Writ Petitions have been filed seeking a direction to the 2nd respondent to pass appropriate orders for transfer of patta in the name of the petitioners in respect of the subject lands in respective Writ Petitions without insisting “No Objection Certificate” from the Tamil Nadu Housing Board, based on the respective representations made by the petitioners, within the time that may be stipulated by this Court.

3. The petitioners are the absolute owners of their respective properties situated in Nesapakkam Village, Chennai. Originally, the lands in Nesapakkam Village and Ramapuram area belongs to one Pachaiyappa Naicker and his son Chandrasekaran which was sold to various individuals. The said area was declared as a residential colony in the name of Annai Sathya Nagar (Nesapakkam) and Annai Sathya Nagar (Ramapuram).



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Consequent to the purchase of lands, the petitioners made representations seeking transfer of patta in their names, which was not considered by the 2nd respondent on the premise that, the said properties have been subject to land acquisition for new Ramapuram Neighbourhood Scheme. In this regard, Writ Petitions were filed by the New Sathya Nagar Residents Welfare Association, challenging the land acquisition proceedings in respect of various Neighbourhood Schemes including the new Ramapuram Neighbourhood scheme which culminated the orders passed in Writ Appeals on the basis of the resolution passed by the Tamil Nadu Housing Board to allow the occupation of the lands by the purchasers for construction of residential houses as a part of the housing scheme itself. Thereafter the scheme was abandoned completely. Consequently, the petitioners have again submitted applications for approval of patta in their name which was not considered by the 2nd respondent till date. Hence, the petitioners have come up with the above Writ Petitions.

4. Learned Senior Counsel appearing for the petitioners submits that, the 2nd respondent may be directed to conduct appropriate enquiry between the petitioners and the Tamil Nadu Housing Board with regard to transfer of



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patta in respect of the subject properties in the name of the Writ Petitioners.

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5. Learned counsel appearing on behalf of the respective respondents have no objection to the said order being passed.

6. In view of the limited relief sought for by the petitioners, this Court without going into the merits of the case, directs the 2nd respondent herein to conduct enquiry between the petitioners and the Tamil Nadu Housing Board and pass appropriate orders in accordance with law, after affording an opportunity of personal hearing to the petitioners and aggrieved parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, these Writ Petitions stand disposed of with the aforesaid direction. There shall be no order as to costs.

11.04.2023

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NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To:

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