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W.P.No.12690 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

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

W.P.No.12690 of 2023

Shanthi

...Petitioner

Vs.

1. The District Collector,
Namakkal District, Namakkal.
2. The Tahsildar,
Rasipuram Taluk, Namakkal District.
3. The Backward and Most Backward Welfare Officer,
O/o. The Backward and Most Backward Welfare Department,
Namakkal Taluk & District. ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents, particularly the 2nd respondent to issue a No Objection Certificate for availing the loan for petitioner house property, bearing Door No.14/180, Annai Sathya Nagar, Namagiripettai, Rasipuram Taluk, Namakkal District, Plot No.116, comprised in Survey No.123/1, to an extent of 0.02 cents on the basis of the petitioner's representation dated 18.04.2022 and 28.03.2023.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.E.Veda Bagath Singh, Spl.GP



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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representations dated 18.04.2022 & 28.03.2023 and to consequently issue No Objection Certificate in favour of the petitioner.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the Learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that she was allotted with Plot No.116, Door No.14/180, situated at Annai Sathya Nagar, Namagiripettai, Rasipuram Taluk, Namakkal District, comprised in Survey No.123/1, to an extent of 0.02 cents under the Backward and Most Backward Welfare Scheme by the 3rd respondent, vide proceedings dated 22.01.2008 bearing Na.Ka.(B1)51022/2007. Pursuant to the said allotment, the petitioner started to construct a house in the said plot and she approached the Indian Bank, Rasipuram Branch, for availing loan for further construction of the



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house. However, the said Indian Bank, vide letter dated 23.01.2023, directed the petitioner to obtain No Objection Certificate (in short 'NOC') from the concerned Tahsildar. Pursuant to which, the petitioner approached the Special Tahsildar for Adi Dravidar Welfare Department, Namakkal, by way of Grievance petition dated 18.04.2022, seeking issuance of NOC in her favour, which evoked no response. Aggrieved by the same, the petitioner made a detailed representation dated 28.03.2023 before the respondents and also before the Special Tahsildar for Adi Dravidar Welfare Department, Namakkal, seeking issuance of NOC in her favour for availing loan. However, till date, no orders have been passed on the said representations. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 28.03.2023 and issue NOC in her favour as expeditiously as possible.

5. Learned Special Government Pleader has no serious objection for the said order being passed.

6. Considering the limited request made by the learned counsel for the



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petitioner, this Court without expressing any opinion on the merits of the case, directs the Special Tahsildar for Adi Dravidar Welfare Department, Namakkal to consider the petitioner's petitions/representations dated 18.04.2022 and 28.03.2023 respectively on merits and in accordance with law and pass appropriate orders, within a period of **two** weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and the aggrieved persons, if any.

7. With the above observations and directions, this Writ petition stands disposed of. No costs.

25.04.2023

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The District Collector,
Namakkal District, Namakkal.
2. The Tahsildar,
Rasipuram Taluk, Namakkal District.

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3. The Backward and Most Backward Welfare Officer,
O/o. The Backward and Most Backward Welfare Department,
Namakkal Taluk & District.
4. The Special Tahsildar,
Adi Dravidar Welfare Department,
Namakkal.

M.DHANDAPANI., J.

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