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W.P.Nos. 22676 to 22681 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

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THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.Nos. 22676 to 22681 of 2018

W.P.No.22676 of 2018:

K.Kumar

... petitioner

-Vs-

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

2. The Thasildar,
Mambalam Taluk,
Office at K.K.Nagar,
Chennai – 600 078.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of Writs 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.107, in Plot No.231, to an extent of 1026 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 13.08.2018, within a time frame to be fixed by this Court.



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For petitioners : Mr. G.Sankaran, Senior Counsel
[in all W.Ps.] for Mr.S.Nedunchezhiyan

For Respondents : Mr.A.M.Ravindranath Jeyapal [R1]
[in all W.Ps.]

Mr.U.Baranidharan
Additional Government Pleader [R2]

COMMON ORDER

Since, the issue arises in all these Writ Petitions is similar in nature, all these Writ Petitions are taken up for final disposal by way of a 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 representation made by the petitioners on various dates within the time that may be stipulated by this Court.

3. The petitioners are the absolute owners of the properties 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



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declared as a residential colony in the name of Annai Sathya Nagar (Nesapakkam) and Annai Sathya Nagar (Ramapuram). Consequent to the purchase of lands from 1985 onwards, the petitioners submitted 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



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petitioner and the Tamil Nadu Housing Board with regard to transfer of patta in respect of the subject properties in the name of the Writ Petitioners.

5. Learned Additional Government Pleader appearing on behalf of the respondents has no objection to the said order being passed.

6. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the 2nd respondent herein to conduct enquiry between the petitioner and the Tamil Nadu Housing Board and pass appropriate orders on the same in accordance with law after affording an opportunity of personal hearing to the 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 are disposed of with the aforesaid direction. There shall be no order as to costs.

27.03.2023

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