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W.A.Nos.1100 & 1101 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Judgment reserved on:	Judgment delivered on:
06.02.2023	20.02.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.A.Nos.1100 & 1101 of 2016

and

C.M.P.No.14234 of 2016

W.A.No.1100 of 2016:

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

2.The Chairman
The Tamil Nadu Housing Board
Nandanam
Chennai-600 035.

3.The Executive Engineer and Administrative Officer
K.K.Nagar
Tamil Nadu Housing Board
Chennai-600 083.

.. Appellants

Vs.

1.C.Durairaju
2.K.Shanmugavel
3.Narendran Asokan



W.A.Nos.1100 & 1101 of 2016

4.S.Meenkashisundaram

5.Maria Xavier

6.Sashidhar Bhaguluri

7.Rajeshkumar Gurusami

8.N.Prasanna

9.V.Theivanayagam

10.Leo Prasanna Gillbert

11.N.Ganesh Kumar

12.D.Natanasigamoney

13.V.Vijayaraghavan

14.S.Prasanna

15.R.Swathi

16.A.R.Rama Narayanan

17.Antony Victor Gino

18.J.Elayakumar

19.C.Manova

20.S.Jagannathan

21.A.Saravanan

22.State of Tamil Nadu

Represented by its Secretary

Housing and Urban Development Department

Fort St. George

Chennai-600 009.

.. Respondents

Prayer: This Writ Appeal is filed under Clause 15 of Letters Patent, against the order dated 20.02.2015 made in W.P.No.2222 of 2013 passed by this Court.



W.A.Nos.1100 & 1101 of 2016

For Appellants : Ms.C.Shyaamala

For RR1 to 14 &
16 to 21 : Mr.K.M.Vijayan, Senior Counsel
for Mr.T.Karthick Srinath

For R22 : Mrs.R.L.Karthika
Government Advocate

W.A.No.1101 of 2016:

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

2.The Chairman
The Tamil Nadu Housing Board
Nandanam
Chennai-600 035.

3.The Executive Engineer and Administrative Officer
K.K.Nagar
Tamil Nadu Housing Board
Chennai-600 083.

.. Appellants

Vs.

1.R.Janarthanam

2.State of Tamil Nadu
Represented by its Secretary to Government
Housing and Urban Development Department
Fort St. George
Chennai-600 009.

.. Respondents

Prayer: This Writ Appeal is filed under Clause 15 of Letters Patent,
against the order dated 21.01.2015 made in W.P.No.30835 of 2014
passed by this Court.



W.A.Nos.1100 & 1101 of 2016

For Appellants : Ms.C.Shyaamala
For R1 : Mr.K.M.Vijayan, Senior Counsel
for Mr.T.Karthick Srinath
For R2 : Mrs.R.L.Karthika
Government Advocate

COMMON JUDGMENT

(Judgment of the Court was delivered by V.M.VELUMANI, J.)

The appellants/Tamil Nadu Housing Board has filed the present appeals challenging the order of this Court dated 20.02.2015 made in W.P.No.2222 of 2013 and order dated 21.01.2015 made in W.P.No.30835 of 2014.

2.The appellants in W.A.Nos.1100 & 1101 of 2016 are the respondents 2 to 4 in W.P.Nos.2222 of 2013 & 30835 of 2014. The respondents 1 to 21 in W.A.No.1100 of 2016 are the petitioners in W.P.No.2222 of 2013. The 22nd respondent in W.A.No.1100 of 2016 and 2nd respondent in W.A.No.1101 of 2016 is the 1st respondent in both the Writ Petitions. The 1st respondent in W.A.No.1101 of 2016 is the petitioner in W.P.No.30835 of 2014.



3.The appellants in W.A.Nos.1101 & 1101 of 2016 are referred to as Tamil Nadu Housing Board. The respondents 1 to 21 in W.A.No.1100 of 2016 and the 1st respondent in W.A.No.1101 of 2016 are referred to as the petitioners. The 22nd respondent and 2nd respondent in W.A.Nos.1100 & 1101 of 2016 respectively is referred to as the Government.

Case of the petitioners:

4.The Government initiated land acquisition proceedings for acquiring 58.59 acres of land by issuing Notification under Section 4(1) of the Land Acquisition Act made in G.O.Ms.No.826, Housing and Urban Development Department, dated 15.05.1978 including 2.26 acres in Survey Nos.283/1, 284/1, 284/2 and 284/3 for formation of Tambaram Neighbourhood Housing Scheme. Several Writ Petitions were filed by the land owners challenging the land acquisition proceedings. The learned Single Judge of this Court by the order dated 16.12.1983 quashed the declaration under Section 6 issued by the Government in G.O.Ms.No.389, Housing & Urban Development Department dated 06.06.1981 and gave liberty to the Government to proceed fresh land acquisition proceedings from the stage of 4(1) Notification. The Division Bench of this Court by the order dated 23.08.1985 allowed the Writ



Appeal filed by the land owners challenging the said order and quashed Section 4(1) Notification also. The SLP filed by the Government challenging the judgment passed in Writ Appeal was dismissed by the Honourable Apex Court on 06.05.1992.

4(a). After dismissal of SLP, several land owners filed Writ Petitions challenging the land acquisition proceedings and this Court allowed the batch of Writ Petitions quashing the land acquisition proceedings, in so far as relating to the land owners, who filed Writ Petitions. In some of the cases, the Government re-conveyed the land to the owners.

4(b). The land in question 2.26 acres in Survey Nos.283/1, 284/1, 284/2 & 284/3 was not covered by earlier orders of this Court. Chandrasekaran and his wife Saraswathy Chandrasekaran filed W.P.Nos.6108 and 20896 of 2009 in this Court for a direction to the Tamil Nadu Housing Board and Government not to interfere with their peaceful possession and to re-convey the land to them. This Court by the order dated 01.11.2010 allowed both the Writ Petitions and directed to re-convey the land to said Chandrasekaran and his wife Saraswathy



Chandrasekaran on payment of development charges by them.

Challenging the said order, the Tamil Nadu Housing Board filed W.A.Nos.805 and 806 of 2011. The Division Bench of this Court by the judgment dated 24.01.2012 allowed both the Writ Appeals and set aside the order dated 01.11.2010 made in W.P.Nos.6108 & 20896 of 2009. Against the said judgment dated 24.01.2012 in W.A.Nos.805 and 806 of 2011, Chandrasekaran and his wife Saraswathy Chandrasekaran filed C.A.Nos.6342 and 6343 of 2012 before the Hon'ble Apex Court and the Hon'ble Apex Court dismissed both C.A.Nos.6342 and 6343 of 2012 on 18.09.2012.

4(c). According to the petitioners, they came to know about the construction of flats in the land in question in Survey Nos.283/1, 284/1, 284/2 & 284/3 to the extent of 5.52 acres including 2.26 acres in the land in question. They inspected the site and verified all the documents of title including approval granted by CMDA, planning permission dated 16.03.2007, work permit dated 28.03.2007 issued by the Tambaram Municipality, patta and encumbrance certificate and the information furnished by the Special Tahsildar. The patta was in the name of predecessor in title. The Special Tahsildar, land acquisition by



communication dated 04.03.2004 furnished information to the queries raised by the petitioners that no land acquisition proceedings is pending in respect of the land in question. In the patta and encumbrance certificate from 1960 to 2006, the Tamil Nadu Housing Board was not shown as owner. After verification of the documents on title, the petitioners applied for loan from the Banks and financial institutions and by selling jewels, purchased their respective flats. They are living with their family members from 2011. The Tamil Nadu Electricity Board gave electricity connection. The Tambaram Municipality provided water and sewerage connection. The flats were assessed for property and water tax. The petitioners are regularly paying taxes to the municipality.

4(d). When the Tamil Nadu Housing Board tried to interfere with their possession and enjoyment of the flats, the petitioners 1 to 21 filed W.P.No.2222 of 2013 for issuance of writ of mandamus directing the appellants 1 & 2 herein to consider and pass orders in respect of the representation made by the petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 and the petitioner/1st respondent in W.A.No.1101 of 2016 filed W.P.No.30835 of 2014 for issuance of writ of declaration declaring that pursuant to Section 24(2) of the Right to Fair



Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013), the acquisition proceedings of the appellants & the Government in G.O.Ms.No.826, Housing Urban and Development Department dated 15.05.1978 is lapsed in respect of land to the extent of 2.26 acres comprised in Survey Nos.283/1, 284/1, 284/2 and 284/3 situate at Old State Bank Colony, 3rd street, West Tambaram, Chennai-600 045 and the super structure thereon, and consequently forbearing the appellants & Government in any manner interfering with the peaceful possession of the petitioner, the 1st respondent in W.A.No.1101 of 2016.

4(e). According to R.Janarthanam, 1st respondent in W.A.No.1101 of 2016 (petitioner in W.P.No.30835 of 2014), the Tamil Nadu Housing Board did not take possession of the land and also did not pay the award amount to the owners. The petitioners, other flat owners and builder are in possession of the land and in view of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013), acquisition proceedings initiated by the Government is lapsed.



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4(f). It is the further case of all the petitioners that the Tamil Nadu Housing Board has re-conveyed the surrounding land of the owners and the Tamil Nadu Housing Board has no access to the land in question. The petitioners made representations dated 01.10.2012 and 29.10.2012 to the Tamil Nadu Housing Board offering to pay the reasonable land cost of the land in question. The equity is in favour of the petitioners and the authorities have given approval and permission to construct the apartment in the land. The apartment is named as “Doshi Nakshatra”. The Tamil Nadu Housing Board has not taken any steps to stop the construction. The Tamil Nadu Housing Board has dropped the Tambaram Neighbourhood Housing Scheme and has given No Objection Certificate to other land owners. In view of the same, the Tamil Nadu Housing Board is not in a position to develop the land in question and prayed for allowing the Writ Petitions.

Case of the Tamil Nadu Housing Board:

5.The Tamil Nadu Housing Board filed counter affidavit and contended that the petitioners are not original owners, the petitioners being subsequent purchasers are not entitled to maintain the Writ Petitions and Section 24(2) of the Act 30 of 2013 is not applicable. The



petitioners have not impleaded (1) CMDA (Chennai Metropolitan Development Authority, Thalamuthu Natarajan Building No.1, Gandhi Irwin Road, Egmore, Chennai (2) The Special Tahsildar (Land Acquisition), Tamil Nadu Housing Board, Nandanam, Chennai (3) The Executive Engineer, Tamil Nadu Electricity Board, Chennai (4) The Commissioner, Tambaram Municipality, Tambaram, Chennai and (5) the Tahsildhar, Tambaram, Kancheepuram District. Hence, the Writ Petitions are liable to be dismissed for non-joinder of necessary parties.

5(a). In respect of the land in question, award No.14/83 dated 28.06.1983 was passed for S.Nos.283/1, 284/1 & 284/3 and award No.11/86 dated 14.08.1986 was passed for S.No.284/2. The Tamil Nadu Housing Board took possession of the land in question in S.Nos.283/1, 284/1 and 284/3 on 21.07.1983 and the land in S.No.284/2 on 21.10.1986 from Land Acquisition Officer. The Tamil Nadu Housing Board further stated that the possession of the land taken by the Government was handed over to the Housing Board on 21.07.1983 and 21.10.1986 and the award amount was deposited in the Treasury. In survey records, the Tamil Nadu Housing Board is shown as owner. The vendor of the petitioners Chandrasekaran did not get any No Objection



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Certificate from the Tamil Nadu Housing Board. The petitioners have purchased the flats from Chandrasekaran represented by his power agent Mehul H.Doshi, who is noway connected to the land in question. The Writ Petitions filed by Chandrasekaran and his wife Saraswathy Chandrasekaran challenging the land acquisition proceedings was allowed. The Writ Appeals filed by the Tamil Nadu Housing Board was allowed. Challenging the said order, C.A.Nos.6342 & 6343 of 2012 filed by Chandrasekaran and his wife Saraswathy Chandrasekaran were dismissed on 18.09.2012. The petitioners are not innocent purchasers. The request of the petitioners dated 01.10.2012 for payment of land cost was placed before the Tamil Nadu Housing Board and the same was rejected by the Board. The Board resolved to issue eviction notice to the petitioners. The only remedy available to the petitioners is to approach the Civil Court for recovery of amount from the promoters.

6.Considering the above averments and arguments made by both sides, the learned Single Judge by the order dated 20.02.2015, allowed W.P.No.2222 of 2013 and by order dated 21.01.2015 allowed W.P.No.30835 of 2014.



7. Against the said orders, the present two Writ Appeals are filed by the Tamil Nadu Housing Board.

8. The learned counsel appearing for the Tamil Nadu Housing Board / appellants reiterated the averments in the counter affidavit filed in the Writ Petitions and also the grounds raised in the Writ Appeals. The learned counsel appearing for Tamil Nadu Housing Board restricted her arguments stating that the Doshi Nakshatra Residential Flat Owners Association offered alternate site in Survey No.375/1A, Tambaram Village, to an extent of 2.30 acres. The land so offered is in low lying area and the Tamil Nadu Housing Board rejected the said offer. The representations given by the petitioners and their Association to the Government offering to pay the land cost was referred to Tamil Nadu Housing Board. The petitioners and their Association are offering to pay the guideline value of the land, whereas the Tamil Nadu Housing Board is willing to receive market value of the land and release the land in question. The market value of the land is Rs.32,48,71,800/-. The petitioners are offering only the guideline value, which is only Rs.7,92,49,030/-.



8(i). The learned counsel appearing for the Tamil Nadu Housing Board referred to various correspondence between the flat owners Association including the petitioners, Tamil Nadu Housing Board and Government. According to the learned counsel appearing for the Tamil Nadu Housing Board, again the Flat Owners Association offered to pay the guideline value, while the Tamil Nadu Housing Board passed a resolution for accepting the market value.

8(ii). The learned counsel appearing for Tamil Nadu Housing Board filed calculation memo and additional typed set of papers including a report filed by one M.D.Mullaiselvan, Chartered Engineer, showing the guideline value and market value and contended that the market value of the land in question is Rs.32,48,71,800/- as on 05.08.2017 and Rs.34,62,18,239/- as on 03.02.2023. The learned counsel also referred to a letter addressed by Dhoshi Nakshatra Flat Owners Association, wherein they agreed to pay prevailing ruling rate. The Tamil Nadu Housing Board is willing to receive the amount, if they are paying the market value and prayed for passing suitable orders.



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9.Mr.K.M.Vijayan, the learned Senior Counsel appearing for the petitioners reiterated the averments made in the affidavit filed in support of the Writ Petitions. The learned Senior Counsel appearing for the petitioners further submitted that out of larger extent of 58.59 acres, the land acquisition proceedings were quashed in respect of all the lands except the present land measuring 2.26 acres. This land cannot be used by Tamil Nadu Housing Board. The petitioners have verified all the documents. The CMDA, which is the highest authority, has given approval and permission to construct and after construction, issued completion certificate also. The Statutory Authority like Municipality, Tamil Nadu Electricity Board and others have provided facilities to the Apartment complex. The Special Tahsildar (Land Acquisition) by his communication dated 04.03.2004 informed to the query raised under RTI Act that there is no land acquisition proceedings in respect of the land. The claim of Rs.32,48,71,800/- by Tamil Nadu Housing Board is arbitrary and baseless. The Tamil Nadu Housing Board is claiming almost four times more than the guideline value. The guideline value is at present Rs.804/- per sq.ft, which comes only to Rs.7,92,49,030/-. The petitioners belong to middle class family and they have purchased the



flats out of their hard earned savings, by selling the jewels and by borrowing loans from Bank and financial institutions.

9(i). Learned Senior Counsel appearing for the petitioners referred to the calculation memo and additional typed set of papers filed by the petitioners enclosing guideline value obtained under Right to Information Act, 2005 from the Sub Registrar, Tambaram, Chennai – 600 059, by his letter dated 15.09.2021 showing that the guideline value of the land taken is Rs.804/- per sq.ft as on today and earlier proceedings for re-conveyance to the other land owners in the same Neighbourhood Scheme. The petitioners also filed memo of calculation. The learned Senior Counsel referring to these documents, contended that the guideline value is only Rs.804/- per sq.ft and the guideline value for the land in question at the rate of Rs.805/- per sq.ft comes to Rs.7,92,49,030/-. The learned Senior Counsel further submitted that as per the Board resolution No.6.07 dated 29.04.2010, the ruling rate as on 31.01.2002 comes to Rs.9,96,500/- per ground and as on May 2017, the ruling rate is Rs.41,93,712/- per ground. As per the Board Resolution, the ruling rate for 2.26 acres as on May 2017 comes to Rs.17,20,22,571/-. The learned Senior Counsel further submitted that the



market value arrived by the Tamil Nadu Housing Board at Rs.32,48,71,800/- is without any supporting documents. The petitioners and their Association are willing to pay a sum of Rs.17,20,22,571/- as per the ruling rate as on May 2017 to get the land in question released from Tamil Nadu Housing Board. The petitioners are ready to pay any reasonable amount over and above the guideline value and prayed for passing suitable orders.

10.Heard the learned counsel appearing for the Tamil Nadu Housing Board/appellants, the learned Senior Counsel appearing for the petitioners/the respondents 1 to 14 & 16 to 21 in W.A.No.1100 of 2016 & the 1st respondent in W.A.No.1101 of 2016 and the learned Government Advocate appearing for the Government/22nd respondent in W.A.No.1100 of 2016 & 2nd respondent in W.A.No.1101 of 2016 and perused the entire materials on record.

11.From the above extracted materials, the following emerge:

(a) The Government initiated acquisition proceedings by issuing 4(1) Notification in G.O.Ms.No.826, Housing and Urban Development Department, dated 15.05.1978 to acquire 58.59 acres for formation of



Tambaram Neighbourhood Housing Scheme.

(b) Several land owners initiated Writ Proceedings and land acquisition proceedings so far as their land has been quashed and subsequently dropped by the Tamil Nadu Housing Board and their properties were re-conveyed.

(c) Tamil Nadu Housing Board developed 21.87 acres out of 58.59 acres.

(d) Tamil Nadu Housing Board did not develop 2.26 acres, which is the issue in the present proceedings.

(e) The Special Tahsildar (Land Acquisition), Tamil Nadu Housing Board passed award Nos.14/83 and 11/86 dated 28.06.1983 and 14.08.1986 respectively. According to the learned counsel appearing for the Tamil Nadu Housing Board, the land in Survey Nos.283/1, 284/1, 284/2 & 284/3 measuring about 2.26 acres covered in the above two awards was handed over by the Land Acquisition Officer to Tamil Nadu Housing Board on 21.07.1983 and 21.10.1986.

(f) Even though Tamil Nadu Housing Board claims that they have taken possession of the property on 21.07.1983 and 21.10.1986, the fact remains that in the said land, a massive residential apartment complex by



name “Doshi Nakshatra” had been put up and petitioners have purchased the said flats and they are residing along with their family members in their respective flats purchased by them.

(g) CMDA has approved the building plan and granted permission to construct the apartment complex.

(h) Tambaram Municipality also issued work permit.

(i) In the revenue records, Tamil Nadu Housing Board was not shown as owner and only the names of erstwhile owners are reflected in the revenue records.

(j) W.P.Nos.6108 & 20896 of 2009 filed by vendor of the petitioners Chandrasekaran and his wife Saraswathy Chandrasekaran, for a direction to the Tamil Nadu Housing Board and Government not to interfere with their peaceful possession of the lands and to re-convey the lands to them was allowed by the order dated 01.11.2010. W.A.Nos.805 and 806 of 2011 filed by the Tamil Nadu Housing Board challenging the said order dated 01.11.2010 was allowed by the Division Bench of this Court in judgment dated 24.01.2012. C.A.Nos.6342 and 6343 of 2012 filed by Chandrasekaran and his wife Saraswathy Chandrasekaran before the Hon'ble Apex Court challenging the judgment dated 24.01.2012 were dismissed by the order dated 18.09.2012.



arrive at quantum of amount to be paid to the Tamil Nadu Housing Board towards land cost.

(o) Tamil Nadu Housing Board is demanding amount at market value, while the petitioners are offering to pay the guideline value.

(p) Tamil Nadu Housing Board has filed memo of calculation claiming Rs.32,48,71,800/- for an extent of 2.26 acres, by their letter dated 05.08.2017 and now they are claiming Rs.34,62,18,239/- towards land cost. On the other hand, the petitioners have obtained guideline value from the Sub Registrar Office, Tambaram, wherein guideline value per sq.ft is mentioned as Rs.804/-. When calculation is made taking into account Rs.805/- per sq.ft to value of the land for 2.26 acres, it works out only Rs.7,92,49,030/-.

(q) The petitioners took into account the ruling rate fixed by Tamil Nadu Housing Board on 31.01.2002 as per Board Resolution No.6.07 dated 29.04.2010 at Rs.9,96,500/- per ground and calculated the ruling rate as on 30.09.2022 at Rs.41,93,712/- per ground. Based on the said amount, the petitioners have stated that ruling rate of land as on May 2017 is Rs.17,20,22,571/- and they are willing to pay the said amount.

12.After making various submissions on merits, both the learned



counsel appearing for Tamil Nadu Housing Board and the learned Senior Counsel appearing for the petitioners submitted that they are willing for out of Court settlement. From the facts narrated above, the Court has to strike a balance on the claim of the Tamil Nadu Housing Board and offer of the petitioners without deciding the issue on merits. As submitted by the learned Senior Counsel for petitioners, in equity, the petitioners are entitled to retain the land in question as the statutory authorities namely, CMDA, Tambaram Municipality and other authorities have granted permission to construct the apartment complex in the land in question without properly verifying the records with regard to acquisition proceedings. Similarly, the Special Tahsildar (Land Acquisition) also without proper verification of the records, furnished the information under Right to Information Act, 2005, by his reply dated 04.03.2004 that no acquisition proceedings are pending. Tamil Nadu Housing Board also was not vigilant enough to protect the land acquired by them by mutating their names as owners in the revenue records and failed to prevent such huge apartment complex being put up in the land in question. In view of the failure on the part of the statutory authorities and Tamil Nadu Housing Board, the petitioners were made to believe that the land in question is free from encumbrance including the land acquisition



proceedings. The Government, Tamil Nadu Housing Board, petitioners and their Association are willing to settle the issue out of Court, but they are not able to come to an agreement with regard to quantum of land cost.

13.Considering all the above materials, it will be just and equitable and in the interest of justice, via media amount is to be fixed by this Court to settle the issue, which is pending for long time. Further, if Tamil Nadu Housing Board is taking steps to recover the possession of the land, it will lead to multiple legal proceedings and consume considerable time and involve heavy expenses for both the parties. Tamil Nadu Housing Board is claiming a sum of Rs.32,48,71,800/- as on May 2017 and Rs.34,62,18,239/- as on today and filed a memo of calculation to that effect. Further, the details given in the memo of calculation with regard to guideline value and market value are not supported by any documents. In view of the same, the amount arrived by Tamil Nadu Housing Board cannot be accepted as the same is not supported by any documents.

14.The petitioners, based on the guideline value and ruling rate as fixed by Tamil Nadu Housing Board in their Board Resolution arrived at ruling rate of the land at Rs.17,20,22,571/- as on May 2017. Now 5 ½ years have passed. Considering the passage of time and ruling rate of the land fixed by TNHB as on May 2017 and considering the submissions of



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the learned Senior Counsel appearing for the petitioners, it will be just and equitable to fix the land cost at Rs.2,100/- per sq.ft. and the land cost for 2.26 acres = 98,445.6 sq.ft. at Rs.2,100/- per sq.ft. is Rs.20,67,35,760/- for the land in question. The petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 & 1st respondent in W.A.No.1101 of 2016 are directed to pay a sum of Rs.10,67,35,760/- within a period of three months from today and the balance Rs.10,00,00,000/- to be paid within a period of three months thereafter. As and when petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 & 1st respondent in W.A.No.1101 of 2016 pay the entire amounts, Tamil Nadu Housing Board is directed to release the land in question and issue No Objection Certificate to the petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 & 1st respondent in W.A.No.1101 of 2016 and their Association within three weeks thereafter. If the petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 & 1st respondent in W.A.No.1101 of 2016 and their Association failed to pay the said amount, it is always open to the Tamil Nadu Housing Board to initiate proceedings to recover the land from the petitioners/respondents 1 to 21 in W.A.No.1100 of 2016 & 1st respondent in W.A.No.1101 of 2016.



W.A.Nos.1100 & 1101 of 2016

15. With the above directions, both the Writ Appeals are disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

(V.M.V., J) (R.H., J)
20.02.2023

kj / krk

Index : Yes/No
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Neutral Citation : Yes/No

To

State of Tamil Nadu
Represented by its Secretary
Housing and Urban Development Department
Fort St. George
Chennai-600 009.



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W.A.Nos.1100 & 1101 of 2016

V.M.VELUMANI, J.
and

R.HEMALATHA, J.

kj / krk

Pre-delivery Judgment
in W.A.Nos.1100 & 1101 of 2016

20.02.2023