



W.P.(MD)No.13734 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 13734 of 2020

and

W.M.P(MD)No.11398 of 2020

B.Kumaresan

... Petitioner

Vs

1. The Government of Tamil Nadu,
Represented through its Secretary,
Department of Housing ,
Saint George Fort,
Chennai – 600109.

2. The Tamil Nadu Housing Board Limited,
Represented through its Managing Director,
Ellis Nagar,
Madurai – 625001.

3. The District Collector,
Madurai District.

4. The Special Thasildar (LA)
Ellis Nagar Housing Scheme ,
Collectorate Complex,
Madurai – 600020.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus or any other writ or Order by directing the respondents to issue necessary No Objection Certificate in favour of the petitioner for the purpose of relieving the property owned by the petitioner to an extent of 7000sq.Ft. comprised in Survey No. 14/3 of Madakulam Revenue Village, Madurai West Taluk, Madurai, from the purview of Land Acquisition.

For Petitioner : Mr.R.Aravindan

For Respondents : Mr.A.K.Manikkam,
Special Government Pleader, for R-1, 3 & 4

Mr.R.Sivakumar, Standing Counsel, for R-2

ORDER

This writ petition is filed seeking direction to the respondents to issue necessary 'No Objection Certificate' in favour of the petitioner for the purpose of relieving the property owned by the petitioner to an extent of 7000sq.Ft. comprised in Survey No. 14/3 of Madakulam Revenue Village, Madurai West Taluk, Madurai, from the purview of Land Acquisition.



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2. Heard Mr.R.Aravindan, the Learned counsel appearing for the Petitioner, Mr.A.K.Manikkam, the Learned Special Government Pleader appearing for the respondents 1, 3 & 4, Mr.R.Sivakumar, the Learned Standing Counsel appearing for the 2nd respondent and perused the material documents available on record.

3. The petitioner is relied on the Special Resolution, dated 28.12.2000 which was passed to relieve an extent of 213.33 acres from the acquisition proceedings.

4. This Court without going into the merits of the case, the petitioner is directed to submit a fresh representation before the 2nd respondent within a period of One week from the date of receipt of a copy of the order and thereafter, the 2nd respondent shall consider the petitioner's case in the light of the Special resolution as stated supra, within a period of Four weeks from the date of receipt of a copy of the order.



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5. With the above terms, this Writ Petition is allowed. No Costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
NCC : Yes / No
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S.SRIMATHY, J

ksa

**Order made in
W.P.(MD)No. 13734 of 2020**

26.09.2023