



W.P. No.11247 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P. No.11247 of 2023

M.R.Ramanujam

... Petitioner

Vs.

1.The Tamil Nadu Housing Board,
Rep. By its Managing Director,
Fifth Floor, C.M.D.A. Building,
E&C, Market Road,
Koyambedu, Chennai-600 107.

2.The Executive Director,
Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Tatabad, Coimbatore-641 012.

3.The Special Tahsildar/ Land Acquisition,
Coimbatore North Taluk,
Kalapatti Village, Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the Respondents herein to forthwith issue No Objection Certificate (நில ஆர்ஜித நடவடிக்கை ஏதும் இல்லை எனும் தடையில்லாச் சான்று) in respect of the Land to an extent of 0.48 cents in S.No.332/3 of Kalapatti Village, Coimbatore North Taluk and Coimbatore District by



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considering the representation of the petitioner dated 31.10.2022 to enable the petitioner to develop his land.

For Petitioner : Mr.M.Kandhan Duraisamy
for Mr.A.Bharathi

For Respondents : Mr.V.Gunsekar (for R1 and R2)
Standing Counsel for TNHB

Mr.P.Sathish (for R3)
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the Respondents to issue No Objection Certificate in respect of the petitioner's land to an extent of 0.48 cents in Survey No.332/3 of Kalapatti Village, Coimbatore North Taluk, Coimbatore District by considering the representation of the petitioner dated 31.10.2022.

2. It is the case of the petitioner that the above mentioned land was acquired for Housing Board Project by the Government and declaration was issued on 14.10.1992. The same was challenged by some of the land owners affected by notification in W.P.Nos.4919 of 1994 and 7785 of 1994. The said writ petitions came to be allowed by this Court by order dated 24.01.2001 and the land acquisition proceedings were quashed. Thereafter, the petitioner submitted a representation before the Respondents 1 and 2 seeking No Objection



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Certificate to enable the petitioner to develop the property. The representation of the petitioner dated 31.10.2022 has not been considered till date. Aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel for the petitioner would submit that even though the land acquisition notification covering the petitioner's property had been quashed as early as 2001, the Respondents 1 and 2 are not ready to issue No Objection Certificate to the petitioner.

4. Mr.V.Gunasekar, learned Standing Counsel appearing for Respondents 1 and 2 would submit that he wants to verify whether any writ appeal has been preferred against the order passed by this Court.

5. It is seen from the typed set that the writ petition filed by the land owners was allowed as early as in the year 2001 and till date the Respondents are not in a position to give any details regarding appeal, if any filed by them.

6. In these circumstances, without going into the merits of the petition, this Court is inclined to give a direction to the 2nd Respondent to consider the representation of the petitioner dated 31.10.2022 and pass final orders on its own



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merits in the light of the order passed by this Court in W.P.Nos.4919 of 1994 and 7985 of 1994 within a period of 4 weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. No costs.

23.10.2024

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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S. SOUNTHAR, J.

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