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W.P.No.33819 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.11.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.33819 of 2024

V.S.Sridhar

...Petitioner

Vs.

1. The Managing Director
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.
2. The Deputy Secretary
Tamil Nadu Housing Board,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai-600 107.
3. The Executive Engineer and Administrative Officer
Tamil Nadu Housing Board,
Anna Nagar Division, Thirumangalam, Chennai-600 101.
4. The Tahsildar
Aminjakarai Taluk
Senoyanagar, Chennai-600 030

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1 to 3 respondents to issue No Objection certificate to the petitioners housing land situated at Plot No.7A,



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Villivakkam Village, Thangam colony, Anna Nagar West, Chennai-600 040
comprised in Survey No.132, part to an extent of 520 sq.ft within stipulated
time.

For Petitioner	: Mr.M.Sridhar
For Respondents 1 to 3	: Mr. D.Veerasekaran Standing Counsel (TNHB)
For respondent 4	:Mr.S.Balamurugan Government Advocate

ORDER

The petitioner herein seeks a direction to respondents 1 to 3 to issue No Objection Certificate to the petitioners housing land situated at Plot No.7A, Villivakkam Village, Thangam colony, Anna Nagar West, Chennai-600 040 comprised in Survey No.132, part to an extent of 520 sq.ft within a time stipulated by this Court.

2. It is the case of the petitioner that his brother purchased the property with an extent of 1555 Sq.feet in the above mentioned survey number on 22.02.1996. Later, he executed a settlement deed on 05.08.2009 settling the said property in the name of the petitioner. Out of total extent, 1020 Sq.feet was acquired by the Highways Department for widening of the road.



Therefore, as on today, the petitioner has been in enjoyment of the remaining 520 Sq.feet of land. When the petitioner applied for patta before the 4th respondent, he directed the petitioner to get NOC from the Tamil Nadu Housing Board. Hence, the petitioner submitted two representations on 12.12.2023 and 08.03.2024 before the 3rd respondent seeking NOC for issue of patta in favour of petitioner in respect of remaining extent of 520 Sq.feet of land and the same has not been considered. The learned counsel for the petitioner also submits that he is ready to pay necessary charges for processing his request.

3. Mr. D.Veerasekaran, learned Standing Counsel (TNHB) takes notice for the respondents 1 to 3 and Mr.S.Balamurugan, learned Government Advocate takes notice for the 4th respondent.

4. The learned Standing Counsel (TNHB) for the respondents 1 to 3 submits that petitioner has not produced acknowledgement for having submitted the representations before the 3rd respondent and hence, he may be directed to submit a fresh representation.



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5. In view of the same, the petitioner is directed to submit a fresh representation before the 1st respondent within a period of two weeks from the date of receipt of copy of this order. The 1st respondent shall consider the same and pass final orders on its' own merits within a further period of six weeks from the date of receipt of representation from the petitioner.

6. With the above directions, this writ petition is disposed of. No costs.

18.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1. The Managing Director
Tamil Nadu Housing Board,
Nandanam, Chennai-600 035.
2. The Deputy Secretary
Tamil Nadu Housing Board,
CMDA Complex, E&C Market Road,
Koyambedu, Chennai-600 107.

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3. The Executive Engineer and Administrative Officer
Tamil Nadu Housing Board,
Anna Nagar Division, Thirumangalam, Chennai-600 101.
4. The Tahsildar
Aminjakarai Taluk
Senoynagar, Chennai-600 030.



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S.SOUNTHAR, J.
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