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W.P.Nos. 34433 of 2018 & etc batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.34433, 34439 of 2018,
21308, 21311, 25845 & 25849 of 2019

W.P.No.34433 of 2018

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Petitioner

Vs

1.The Commissioner,
Corporation of Coimbatore,
R.S.Puram,
Coimbatore – 641 002.

2.The Assistant Commissioner of
Corporation (West Zone), Coimbatore,
R.S.Puram,
Coimbatore – 641 002.

3.The Chairman,
Tamil Nadu Housing Board,
Nandhanam, Chennai.

4.The Executive Engineer &
Administrative Officer,
Tamil Nadu Housing Board,
Coimbatore Housing Unit,
Tatabad, Coimbatore – 641 012.



W.P.Nos. 34433 of 2018 & etc batch

5.The Tahsildar,
Coimbatore (North)
Coimbatore District.

6.The Special Tahsildar (L.A.)
Housing Scheme,
Tatabad, Coimbatore.

.... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 & 2 to process the application made by the petitioner dated 24.07.2018 vide Registration No.DTCP/P/0362749/2017 seeking regularization of the petitioner's unapproved plot No.52 comprising in Survey No.340, Telugupalayam Village, Coimbatore District, without insisting for No Objection Certificate from the Tamil Nadu Housing Board.

In all W.Ps

For Petitioners	: Mr.R.N.Amarnath
For R1 & R2	: Mr.K.Magesh Standing Counsel
For R3 & R4	: Mr.V.Gunasekar Standing Counsel
For R5 & R6	: Mr.P.Gurunathan

COMMON ORDER

These writ petitions have been filed for direction directing the respondents 1 & 2 to process the application made by the petitioners seeking regularization of the petitioners' unapproved plots comprising in



W.P.Nos. 34433 of 2018 & etc batch

survey Nos.340 & 343 part, 344, situated at Telugupalayam Village, Coimbatore District, without insisting for no objection certificate from the Tamil Nadu Housing Board.

2. The lands comprised in survey Nos.340 & 343 part, 344, situated at Telugupalayam Village, Coimbatore District, were under process of land acquisition. The land owners had challenged the said acquisition proceeding in a batch of writ petition in W.P.No.13613 of 2013 etc., batch. This Court quashed the entire acquisition proceeding by an order dated 15.04.2016, and the same was also confirmed by the Hon'ble Division Bench of this Court in W.A.1398 of 2021 etc., batch by an order dated 01.08.2024. In the mean time, the petitioners sought for regularization of their respective lands. However, the respondents 1 & 2 insisted the petitioners to produce “no objection certificate” from the Tamil Nadu Housing Board which was the requisition body for acquiring the land. Hence, the petitioners filed the present writ petitions with the above prayer.



W.P.Nos. 34433 of 2018 & etc batch

WEB COPY

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. It is seen that the Hon'ble Division Bench of this Court dismissed the Writ Appeals filed by the Tamil Nadu Housing Board challenging the quashment of the acquisition proceedings. Therefore, there is no impediment for the respondents to process the applications submitted by the petitioners seeking regularization of their respective lands.

5. In view of the above, the respondents are directed to process the applications submitted by the petitioners seeking regularization of their respective unapproved lands and approve the same in accordance with law, without insisting any no objections certificate from the Tamil Nadu Housing Board viz., third and fourth respondents herein, within a period of six weeks from the date of receipt of a copy of this Order.



W.P.Nos. 34433 of 2018 & etc batch

WEB COPY

6. With the above directions, all the Writ Petitions stand disposed of. There shall be no orders as to costs.

09.08.2024

Internet : Yes/No
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
Lpp

To

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