



W.P.(MD)No.24529 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **05.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.24529 of 2024

- 1.Samathani Beevi
- 2.Meeran Maideen
- 3.Rasool Maideen
- 4.Umar Farook

... Petitioners

Vs.

1. The Managing Director,
Tamil Nadu Housing Board,
Anna Salai, Nandanam,
Chennai 600 035.
2. The Executive Engineer and Administrative Officer,
Tirunelveli Housing Unit,
Tirunelveli District.
3. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
4. The Member Secretary / Joint Director,
Tirunelveli Local Planning Authority,
District Town Planning Office,
South Bye Pass Road,
Tirunelveli 5.

... Respondents



W.P.(MD)No.24529 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to issue No Objection Certificate for regularization of unapproved plots in respect of the land comprised in Survey No. 550 measuring an extent of 1.50 acres situated at Kulavanigarpuram, Palayamkottai Taluk, Tirunelveli -11 and also for mutation of patta by considering the petitioner's representation dated 20.09.2024.

For Petitioners : Mr.T.Leninkumar

For Respondents : Mr.S.Velmurugan (R1 & R2)

Standing Counsel

Mr.D.S.Neduncheliyan (R3 & R4)

Government Advocate

ORDER

This writ petition is filed seeking for a direction to the respondents to issue no objection certificate for regularisation of unapproved plots in respect of the land comprised in Survey No. 550 measuring an extent of 1.50 acres situated at Kulavanigarpuram, Palayamkottai Taluk, Tirunelveli -11 and also for mutation of patta, by considering the petitioner's representation dated 20.09.2024.

2. When the matter is taken up for hearing, the learned standing counsel appearing for the respondents 1 and 2 submitted that the land was not at all acquired and hence it is not necessary to issue no objection certificate at all.



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3. The learned counsel for the petitioner submitted that already as far as the subject land is concerned, it has been notified for acquisition for the purpose of housing board construction under the Acquisition of Land for Neighbourhood Scheme of the Tamilnadu Housing Board. However the said notification was later quashed by this Court in WP No.13620 of 1998.

4. Since the aforesaid land acquisition scheme itself has been quashed by the order of this Court and obviously, the said land was not sofar acquired, the second respondent is directed to issue no objection certificate, by considering the petitioner's representation dated 20.09.2024 within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction this writ petition is disposed of. No costs.

05.12.2024

(2/2)

NCC : Yes / No
Index : Yes / No
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L.VICTORIA GOWRI, J.

Sm

TO:-

1. The Executive Engineer and Administrative Officer,
Tirunelveli Housing Unit,
Tirunelveli District.
2. The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
3. The Member Secretary / Joint Director,
Tirunelveli Local Planning Authority,
District Town Planning Office,
South Bye Pass Road,
Tirunelveli 5.

Order made in
W.P.(MD)No.24529 of 2024
(2/2)

Dated:
05.12.2024