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W.P.Nos.2625 & 2630 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.2625 & 2630 of 2024
and W.M.P.Nos.2883 & 2890 of 2024

K.Subbuthai

... Petitioner
(In W.P.No.2625 of 2024)

K.Ganga

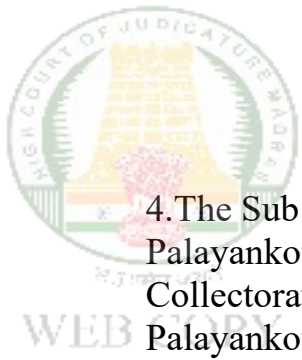
... Petitioner
(In W.P.No.2630 of 2024)

Vs

1.The State by its Secretary to Government,
Housing and Urban Development Department,
Secretariat,
Chennai-9.

2.The Managing Director,
Tamilnadu Housing Board,
CMDA Complex,
Coyambedu,
Chennai-600 107.

3.The Executive Engineer-cum
Administrative Officer,
Tamilnadu Housing Board,
17-D, C-Colony,
Perumalpuram-627 011,
Palayankottai Taluk,
Tirunelveli District.



W.P.Nos.2625 & 2630 of 2024

4.The Sub Registrar,
Palayankottai Sub Registrar,
Collectorate Campus,
Palayankottai,
Tirunelveli District.

5.The Tahsildar,
Palayankottai Taluk,
Tirunelveli District.

... Respondents
(In both Petitions)

Prayer in W.P.No.2625 of 2024 : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 03.01.2022 made in Lr.No.LA/4180/10 passed by the 3rd respondent, Quash the same for lack of jurisdiction and consequently direct the respondents 1 and 2 to issue NOC or re-convey the extent of the petitioner's house site measuring 3000 sq.ft., comprised in S.F.Nos.143/2, Keelanathan Village, Palayamkottai Taluk, Tirunelveli District.

Prayer in W.P.No.2630 of 2024 : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 03.01.2022 made in Lr.No.LA/4180/10 passed by the 3rd respondent, Quash the same for lack of jurisdiction and consequently direct the respondents 1 and 2 to issue NOC or re-convey the extent of the petitioner's house site measuring 1742 sq.ft., comprised in S.F.Nos.150 & 151, Keelanathan Village, Palayamkottai Taluk, Tirunelveli District.

For Petitioner : Mr.N.Manoharan

For Respondents : Mr.C.Kalaichelvan for RR-2 & 3



W.P.Nos.2625 & 2630 of 2024

representation to the respondents requesting for grant of No Objection Certificate or for exclusion of properties from the acquisition proceedings. However, the said representation was rejected vide impugned order dated 03.01.2022. Challenging the said rejection order, the present Writ Petitions have been filed.

3. Learned counsel appearing for the petitioners submitted that the impugned order passed by the 3rd respondent is arbitrary and illegal as no opportunity of hearing was given to the petitioners before passing the same which is in violation of principles of natural justice and therefore, the impugned order is liable to be set aside.

4. Learned counsel appearing for the 3rd respondent, on the basis of the counter affidavit submitted that the subject lands were acquired by the Tamil Nadu Housing Board even prior to the purchase of the said lands by the petitioners. However, the said acquisition having been made after following due process of law, in respect of which, award was also passed in the 1995 and therefore, the petitioners being the subsequent purchasers does not have any *locus standii* to question the acquisition and therefore, the petitioner's request for NOC with respect to the subject lands is not maintainable. Accordingly, he prayed for dismissal of these Writ Petitions.



W.P.Nos.2625 & 2630 of 2024

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Considering the fact that the subject lands were the subject matter of acquisition and that the petitioners are subsequent purchasers after the 4(1) notification and further, award was passed as early as in the year 1995 itself and the possession was also taken in the year 2003, this Court is of the considered view that the petitioners have no *locus standii* to seek issuance of No Objection Certificate as there is no provision either under Land Acquisition Act, 1984 or under the Right to Fair Compensation Act. In the absence of any statutory provision, this Court cannot grant the relief as sought for in these Writ Petitions. However, it is open to the petitioners to work out their remedy in the manner known to law, if so advised.

7. For the reasons aforesaid, the Writ Petitions are dismissed with aforesaid liberty. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

04.11.2025

Index : Yes / No
Speaking Order / Non-speaking order
Neutral Citation Case : Yes / No
Nhs



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W.P.Nos.2625 & 2630 of 2024

M.DHANDAPANI, J

Nhs

To

1.The Secretary to Government,
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Chennai-9.

2.The Managing Director,
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