



Writ Petition No.3755 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3755 of 2025

and

W.M.P.No.4163 of 2025

1.V.Murugan
S/o.Late Vaiyapuri

2.V.Mani
S/o.Late Vaiyapuri

3.V.Sivakumar
S/o.Late Vaiyapuri

4.V.Murali
S/o.Late Vaiyapuri

5.V.Sasikumar
S/o.Late Vaiyapuri

... Petitioners

Vs.

1.The Secretary,
Housing and Urban Development Department,
Fort St. George, Chennai – 600 009.

2.The Special Tahsildar,
Land Acquisition,
Salem Housing Board Division,
AiyyanthiruMaaligai,
Opp:Collectors Bungalow
Salem 636 008.



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3.The Tahsildar,
Land Acquisition,
Salem Housing Board and Neighbourhood Scheme,
AiyyanthiruMaaligai,
Opp:Collectors Bungalow
Salem 636 008.

4.The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Salem Housing Board Division,
Salem – 636 008.

5.The Joint I Sub Registrar,
Salem (West) District Register Office,
Collector Office Complex, 3rd Floor,
Salem – 636 008.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records in impugned Letter No.Ne.A.1/4280/03 dated 23.11.2020 on the file of 4th respondent and to quash the same and consequentially direct the 5th respondent to entertain all the documents for registration relating to the property, measuring an extent of 1.30 acres, comprised in Survey No.77/3 Ayyamperumalpatti village, Salem District, without insisting on 'No Objection' certificate from the 4th respondent for processing the same.

For Petitioners : Mr.V.Pavel

For Respondents : Mr.B.Vijay
Additional Government Pleader



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ORDER

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This writ petition has been filed challenging the impugned letter dated 23.11.2020 issued by the fourth respondent restraining registration of any document pertaining to the property and for a consequential direction to the fifth respondent to entertain the document for registration without insisting for a No Objection Certificate from the fourth respondent.

2. Heard Mr.V.Pavel, learned counsel appearing on behalf of the petitioners and Mr.B.Vijay, learned Additional Government Pleader appearing for respondents.

3. The issue that is involved in the present writ petition is squarely covered by the earlier order passed by this Court in W.P.No.19152 of 2024 dated 25.07.2024. That was also a case where the adjacent land owner had approached this Court seeking for a similar relief and this Court took into consideration the earlier order passed by this Court whereby, the acquisition proceedings itself lapsed. This Court also took into consideration the communication dated 14.03.2023, wherein it has been mentioned that the acquisition proceedings itself



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lapsed. This Court also took into consideration the earlier orders that were passed in W.P.No.15154 of 2020 and W.P.No.26809 of 2021.

Ultimately, this Court interfered with the impugned letter issued by the fourth respondent and directed the Sub Registrar to register the document without insisting for No Objection Certificate.

4. In view of the above, the impugned letter dated 23.11.2020 issued by the fourth respondent, is hereby quashed and there shall be a direction to the fifth respondent to entertain and register the documents without insisting for No Objection Certificate from the Tamil Nadu Housing Board, if the documents are otherwise in order.

In the result, this writ petition is allowed with the above direction. No Costs. Consequently, connected miscellaneous petition is closed.

12.02.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



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To
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N.ANAND VENKATESH, J

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