



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3134 of 2025
and W.M.P.No.3456 of 2025

1.N.Dharmalingam

2.N.Rmachandran

3.N.Manickavel

... Petitioners

Vs.

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

2.The Special Tahsildar,
Land Acquisition,
Salem Housing Board Division,
AiyyanthiruMaaligai,
Opp:Collectors Bungalow
Salem 636008.

3.The Tahsildar,
Land Acquisition,
Salem Housing Board and Neighborhood Scheme,
AiyyanthiruMaaligai,
Opp:Collectors Bungalow
Salem 636008.



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 relation 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 Petitioner : Mr.V.Pavel

For Respondents : Mr.M.Shajahan
Special Government Pleader
for R1, R2, R3 and R5
Mr.A.M.Ravindranath Jeyapal
Standing Counsel for R4

ORDER

This writ petition has been filed challenging the impugned letter dated 23.11.2020 issued by the 4th respondent restraining registration of any document pertaining to the property and for a consequential direction to the 5th respondent to entertain the document



for registration without insisting for a No Objection Certificate from the 4th respondent.

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2. Heard Mr.V.Pavel, learned counsel appearing on behalf of the petitioners, Mr.M.Shajahan, learned Special Government Pleader appearing on behalf of respondents 1, 2 , 3 & 5 and Mr.A.M.Ravindranath Jeyapal, learned Standing Counsel appearing on behalf of the 4th respondent.

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, where it has been mentioned that the acquisition proceedings itself 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 4th respondent and directed the Sub Registrar to register the document without insisting for No Objection Certificate.



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4. In view of the above, the impugned letter dated 23.11.2020 issued by the 4th respondent, is hereby quashed and there shall be a direction to the 5th 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.

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

06.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

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N. ANAND VENKATESH, J.

SSR

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(2/2)