



W.P.No.2311 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2311 of 2025

R.Rajaram

...Petitioner

Vs.

1. The District Registrar,
Salem, Salem District.
2. The Sub Registrar,
Sub Registrar Office,
Omalur, Omalur Taluk,
Salem District.
3. The Executive Engineer,
& Administrative Officer,
Salem Housing Unit,
Tamil Nadu Housing Board,
Ayyanthirumalagai Road,
Salem - 636 008.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus, directing the 2nd respondent to register the document / deed to be submitted by the petitioner in respect of land in survey No.66/1 an extent of 0.91.0 Hec. at Kottagoundampatti Village, Omalur Taluk, without insisting no objection certificate from the 3rd respondent.



W.P.No.2311 of 2023

For Petitioner : Mr.M.Elango
For Respondents : Mr.M.Shahjahan,
Special Government Pleader

ORDER

The above Writ Petition has been filed seeking a mandamus directing the second respondent to consider the petitioner's representation dated 27.02.2024.

2. The grievance of the petitioner is that, despite submitting an application on 27.02.2024 for the registration of a document/deed in respect of land in Survey No. 66/1, measuring 0.91.0 hectares at Kottagoundampatti Village, Omalur Taluk, the second respondent has not proceeded with the registration but is insisting upon a No Objection Certificate (NOC) from the third respondent.

3. The petitioner submits that he owns agricultural land measuring 0.91.0 hectares in Survey No. 66/1 at Kottagoundampatti Village, Omalur Taluk. This land was initially sought to be acquired for the construction of



houses by the third respondent Board, with a Section 4(1) notification under the Land Acquisition Act issued on 20.05.1991, followed by a declaration under Section 6 of the Act on 21.07.1992. Subsequently, on 20.07.1994, the second respondent passed an award under Section 11 of the Act.

4. The petitioner and other landowners filed W.P.No.6039 of 2014, seeking to declare the acquisition proceedings as lapsed under Section 24(2) of the Tamil Nadu Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013. They argued that possession had not been taken and that they were entitled to relief under the said provision. However, the writ petition was dismissed.

5. Challenging this dismissal, the petitioner filed W.A.No.1100 of 2014. On 26.02.2016, the Hon'ble Division Bench declared the entire acquisition proceedings as lapsed. The Housing Board subsequently filed a review application in 2017, which was numbered as Rev.Appl.No.242 of 2022. This review application was dismissed on 25.07.2023.



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W.P.No.2311 of 2023

6. Following this, the petitioner submitted a representation to the second respondent requesting the removal of the encumbrance placed on the land in Survey No. 66/1 (0.91.0 hectares) due to the acquisition proceedings. After the removal of this encumbrance, the petitioner sought to register a Power of Attorney deed in favor of one Amudha concerning the said property. However, despite the petitioner's representation, the second respondent has not taken any action, compelling the petitioner to file W.P.No.2088 of 2024.

7. Given that the Division Bench of this Court has already declared the acquisition proceedings as lapsed and the Housing Board's review application has been dismissed, the insistence by the second respondent on obtaining a No Objection Certificate from the third respondent for registering the Power of Attorney is unwarranted and unjustified.

8. Accordingly, the Writ Petition is allowed, and a mandamus is issued directing the second respondent to register the document/deed to be submitted by the petitioner in respect of the land in Survey No. 66/1,



W.P.No.2311 of 2023

measuring 0.91.0 hectares at Kottagoundampatti Village, Omalur Taluk,
without insisting on a No Objection Certificate from the third respondent.

This shall be done within a period of two weeks from the date of receipt of a
copy of this order.

9. With the above directions, this Writ Petition is allowed. No costs.

30.01.2025

nvi

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To

1. The District Registrar,
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2. The Sub Registrar,
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Omalur, Omalur Taluk,
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3. The Executive Engineer,
& Administrative Officer,
Salem Housing Unit,
Tamil Nadu Housing Board,

5/7



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W.P.No.2311 of 2025

P.T. ASHA, J.

nvi

W.P.No. 2311 of 2025



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W.P.No.2311 of 2023

30.01.2025