



W.P.No.8453 of 2025

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**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 12.03.2025

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.8453 of 2025

R.K.Muthusamy

.. Petitioner

**Versus**

1. The Managing Director,  
Tamil Nadu Housing Board,  
Koyambedu, Chennai - 600 107.
2. The District Revenue Officer,  
Tamil Nadu Housing Board,  
CMDA Complx, E & C Market Road,  
Koyambedu, Chennai - 600 107.
3. The Executive Engineer/Administrative Officer,  
Tamil Nadu Housing Board,  
Sampath Nagar, Erode.
4. The Special Tahsildar,  
(Land Acquisition),  
Neighbourhood Scheme,  
Tamil Nadu Housing Board,  
Brough Road, Erode, Erode District.



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5. The Tahsildar,  
Erode Taluk, Erode,  
Erode district.

.. Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Mandamus directing the respondents 1 to 3 to issue No Objection Certificate in so far relate to land situated in S.No.718/3, Erode E-Village, Rangampalayam, Erode district to the extent of 0.97 hectares.

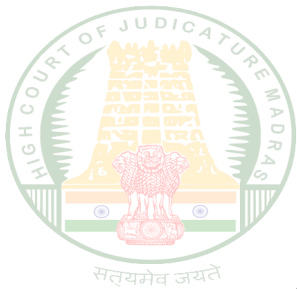
For Petitioner : M/s.P.Dharani,  
for Mr.C.Prakasam

For Respondents : Mr.J.Pachaiyappan,  
for RR-1 to 4

: Mr.S.Balasubramanian,  
Government Advocate, for R5

### **ORDER**

This Writ Petition is filed for a direction to the respondent Nos.1 to 3 to issue No Objection Certificate insofar as the land situated in S.No.718/3, Erode E-village, Rangampalayam, Erode district to the extent of 0.97.0 ares.



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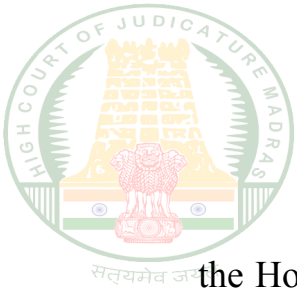
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2. The grievance of the petitioner is that earlier, when the aforementioned land was sought to be acquired for the purposes of the Housing Board for forming a housing colony, by the Secretary to the Government, Housing and Urban Development Department, the land owners, including the petitioner, challenged the Land Acquisition Proceedings in G.O.Ms.No.25, Housing and Urban Development Department, dated 17.01.1997. The Writ Petition was allowed by the order, dated 27.07.2006 and it is essential to extract the operative portion that is contained in paragraph No.5 which reads as follows:-

"5. In such view of the matter, Section 6 declaration is vitiated. Since 4(1) notification was issued long back, such notification is also quashed and the writ petition is allowed. No costs. It is open to the appropriate authority to initiate fresh proceedings, if there is any necessity and justification."

Thus, it can be seen that the entire Land Acquisition Proceedings have been quashed.

3. When the matter is taken up for admission, the learned Counsel for



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the Housing Board or the learned Government Advocate is not in a position to demonstrate that any appeal is filed against the said order. Once the Land Acquisition Proceedings are quashed, thereafter, the Sub-Registrar or for that matter, any other authority, cannot insist upon issuing of No Objection Certificate. The petitioner will be fully entitled to deal with the property, mutate in the records or sell or present any such document affecting the property. Once the Land Acquisition Proceedings are quashed by this Court, thereafter, the Housing Board or for that matter, any other authority need not issue any No Objection Certificate in respect thereof.

4. Therefore, by recording the same that no authority can insist upon any No Objection Certificate for any purpose from the Housing Board or from any Government authority for the fact that the matter was subject to acquisition, this Writ Petition stands disposed of. There shall be no order as to costs.



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To

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**D.BHARATHA CHAKRAVARTHY, J.**

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