



WEB COPY

WP No. 7683 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 7683 of 2024

1. N.Sekar

S/o Narayanasamy

Petitioner(s)

Vs

1. Assistant Executive Engineer
TNHB Shopping Complex
1st Floor, Thirumangalam Road,
Anna Nagar East, Chennai 600 040

2.The Special Thasildar (land
Acquisition)
TNHB 7th Floor,
CMDA Building
Koyambadu Chennai 600 107

3.The Sub Registrar Joint II
Chennai South
Saidapet Chennai 600 015

Respondent(s)

PRAYER

Directing the 1st respondent to dispose of the petitioner's representation dated



20.09.2023 and further direct the 1st respondent to issue No objection Certificate within a stipulated time fixed by this Court.

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For Petitioner(s): Mr.M.Muruganantham

For Respondent(s): Mr.A.M.Ravindranath Jeyapal
Standing Counsel

ORDER

The present writ petition has been filed for the issue of a writ of mandamus directing the 1st respondent to dispose of the petitioner's representation dated 20.09.2023 and to issue No objection Certificate to the petitioner.

2. The 1st respondent has filed a counter affidavit and the relevant portions are extracted hereunder,

“4. I respectfully submit that on perusal of the records pertaining to the subject land in S.No.148/3B1, for an extent of 2423 Sq.ft is covered in the Land Acquisition Proceedings of Tamil Nadu Housing Board. The 4(1) notification of the subject land was approved by the Government vide G.O.R.No.138, Housing 14.05.1975 and Draft Declaration under section 6 of the Land Acquisition Act was approved by the Government vide G.O.Ms.No.969, Housing dated 07.06.1978. Further, the Award was passed by the Land Acquisition Officer vide Award No.8/86, dated 23.09.1986. The compensation amount of Rs.31,483.70/-was deposited in the treasury on 27.03.1987.



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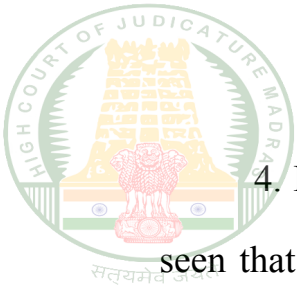
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5. I respectfully further submit that the land owners / interested persons for the subject land as per the Land Acquisition Proceedings are as follows:-

Survey No.	Extent	Ex-Land owner name as per 4(1) Notification in G.O.R.No.138 Dt.14.05.1975	Ex-Land owner Name as per 6DD in G.O.ms.No.969, Dt.07.06.1978	Ex-Land Owner Name as per Award 8/86 dated 23.09.1986
148/3B 1	1.52 Acres	1.Kanniappan 2.Ponniah 3.Shanmugam 4.Chinnamal	1.Kanniappan 2.Ponnusami Naicker 3.Shanmuga Naicker 4.Chinnamal	1.Somu 2.Ramu 3.Munusamy 4.Chidambaram

3. Learned counsel for the petitioner submitted that the mother of the petitioner had purchased the property by registered sale deed on 23.11.1987 and thereafter a settlement deed was issued in favour of the petitioner on 07.01.2009 by his mother, which was registered as Doc.No.24/2009. It was further submitted that the petitioner is paying water tax, property tax etc., and the petitioner is in possession and enjoyment of the property. Apart from that, the petitioner has also given this property as security to the bank by memorandum of deposit of title deeds. Therefore, it was contended that there was no acquisition and the possession continues with the petitioner.



4. In the light of the stand taken by the 1st respondent in the counter, it is seen that acquisition proceedings were initiated and an award also came to be passed in Award No.8/86 dated 23.09.1986. If according to the petitioner, the possession continues with the petitioner and the compensation amount has also not been paid, the petitioner must only question the acquisition proceedings by seeking for declaration that acquisition proceedings has lapsed. Instead, the petitioner cannot seek for No objection certificate from the Housing Board. Except giving this clarity, no further orders can be passed in the present writ petition.

5. This writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

10-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To
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N.ANAND VENKATESH J.

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