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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

WP Nos.14266, 14271, 14275, 14277 of 2025

M.Sangeetha	...Petitioner in WP No.14266 of 2025
M.Gopinath	
R.Dhanalakshmi	...Petitioners in WP No.14271 of 2025
R.Kirubanandhan	...Petitioner in WP No.14275 of 2025
Padmanabhan	
P.Vanitha	...Petitioners in WP No.14277 of 2025

Vs

1. Housing and Urban Development Department,
Rep. By its Secretary,
Fort St. George,
Chennai 600 009
2. The Special Tahsildar (Land Acquisition),
Tamil Nadu Housing Board,
(Salem Housing Board Division),
Ayyanthiru Maaligai,
Opp. Collector Bungalow,
Salem – 636 008
3. The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
(Salem Housing Board Division)
Salem – 636 008
4. The Tahsildar,
Salem Taluk, Salem – 636 008

...Respondents



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in all WPs

Prayer in WP No.14266 of 2025 :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in the impugned letter No.Na.Ka.No.861/2023/A9 dated Nil.10.2023 on the file of the 4th respondent and quash the same and consequently direct the 4th respondent to grant patta in the name of the petitioner for the property bearing Plot No.47, measuring a total extent of 1935 Sq.ft. At ward-F block -12, T.S.No.14/3, Old S.F No.95/3, New SF No.95/3A and 95/3B of Ayyamperumal Patti Village, Salem District and pass orders.

Prayer in WP No.14271 of 2025 :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 4th respondent to process the application for patta filed by the petitioner in Application Number 2024/0154/08/012402 and grant patta in the name of the petitioner for the land in Survey No.Old SF No.94/4, 95/2, 95/3 New SF No.95/2B to an extent of 756 Sq.ft in Ward F Block 12, TS No.14/2 of Ayyamperumal Patti Village, Salem District.

Prayer in WP No.14275 of 2025 :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records in the impugned letter No.Na.Ka.No.861/2023/A9 dated 11.08.2023 on the file of the 4th respondent and quash the same and consequently direct the 4th respondent to grant patta in the name of the petitioner for the property bearing Plot No.17, measuring a total extent of 1360 Sq.ft. T.S.No.14/9, SF No.95/2 of Ayyamperumal Patti Village, Salem District and pass orders.



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Prayer in WP No.14277 of 2025 :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 4th respondent to process the application for patta filed by the petitioner dated 30.08.2024 and grant patta in the name of the petitioner for the land in Survey No.Old SF No.94/4, 95/2, 95/3 New SF No.95/2B to an extent of 1134 Sq.ft in Ward F Block 12, TS No.14/2 of Ayyamperumal Patti Village, Salem District.

In all WPs

For Petitioner : Mr.S.Kamalesh Kannan
For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R4

COMMON ORDER

Two writ petitions have been filed challenging the letter issued by the 4th respondent and other two writ petitions were filed for a direction to the 4th respondent to grant patta in the name of the petitioners with respect to the subject property.

2. Heard Mr.S.Kamala Kannan, learned counsel for the petitioners in all Wps and Mr.A.Selvendran, learned Special Government Pleader for respondents 1 to 4 in all Wps.



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3. The issue involved in the present writ petitions is squarely covered by the earlier order passed by this Court in WP No.32823 of 2023 dated 25.07.2023. This Court held that the acquisition proceedings has already been quashed and therefore, the authority should not insist for getting no objection certificate from the Tamil nadu Housing Board. In spite of the same, the petitioner who had sought for issuance of patta in their name have been asked to get the No objection certificate from the Housing Board. Aggrieved by the same, the present writ petition has been filed before this Court.

4. In the considered view of this Court, the acquisition proceedings has been quashed long back and it has been reiterated by this Court in more than one order. In view of the same, the Tahsildar cannot insist for getting a No objection certificate from the Housing Board. Hence, such insistence on the part of the Tahsildar is declared as illegal and there shall be a direction to the Tahsildar, Salem Taluk to act upon the application submitted by the petitioners and to grant patta in their favour within a period of four weeks from the date of receipt of a copy of this order.



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5.All these writ petitions are disposed of with the above directions. No costs.

23.04.2025

rka

Index : Yes/No

Speaking /Non Speaking order

Internet : Yes

Neutral Citation : Yes /No

To

1. Housing and Urban Development Department,
Rep. By its Secretary,
Fort St. George,
Chennai 600 009
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(Salem Housing Board Division),
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N.ANAND VENKATESH.,J
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