



W.P.Nos.32371 & 32376 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P.Nos.32371 & 32376 of 2023

and

W.M.P.Nos.31992 & 31995 of 2023

W.P.No.32371 of 2023

Princy Thomas

... Petitioner

Vs.

1. The Executive Engineer
and the Administrative officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Thirumangalam Shopping Complex,
Thirumangalam,
Chennai – 600 101.

2. The District Revenue officer,
Chennai.

(R2- Suomotu impleaded vide order
dated 30.06.2025 made in
WP.32371/2023 by MSJ & HCJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Certiorari to call for the records relating to the
impugned order dated 17.10.2023 vide Letter No.A.Na.Ko/Survey/0273/
2017-2 passed by the respondent and quash the same.



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W.P.No.32376 of 2023

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N.Balasingh

... Petitioner

Vs.

1. The Executive Engineer
and the Administrative officer,
Anna Nagar Division,
Tamil Nadu Housing Board,
Thirumangalam Shopping Complex,
Thirumangalam,
Chennai – 600 101.

2. The District Revenue officer,
Chennai.

(R2- Suomotu impleaded vide order
dated 30.06.2025 made in
WP.32376/2023 by MSJ & HCJ)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records relating to the impugned order dated 17.10.2023 vide Letter No.A.Na.Ko/Survey/0273/2017-3 passed by the respondent and quash the same.

For Petitioner
in both the WPs.

: Mr.R.Abdul Mubeen
for Mr.K.Ezhumalai

For Respondents
in both the WPs.

: Mr.D.Veerasekaran
Standing Counsel
for TNHB for R1
Mr.T.Arunkumar,
Addl.G.P. for R2



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Act, 1984, in respect of the subject land in S.No.223. Compensation was enhanced subsequently, and the enhanced compensation was also settled in favour of the erstwhile land owners. Transfer of charge certificate, after paying the enhanced compensation was issued, vide certificate, dated 03.03.1988.

4. The erstwhile owners viz.,i.e., Loganathana Naicker and 4 others, preferred W.P.No.3335/1982 to quash the Award No.2/1982 dated 17.02.1982. Writ Petition was allowed to an extent of 4.32 acres, out of the total extent of 15.08 acres acquired. The Tamil Nadu Housing Board preferred W.A.No.868/1994 challenging the writ order and the said writ appeal came to be allowed by the Division Bench of this Court on 16.02.1996. The writ order in W.P.No.2880/1982 was set aside.

5. On 06.07.2006, the Housing Board received a letter from the Member Secretary, CMDA, that the land in S.No.165, 224/1&2, 225, 223/1, 251/1&2 of Padi Village are affected by the proposal ICC (Rail) alignment. However, composite corridor taking ICC (Rail) alignment on the median of IRR has been approved by CMDA on 27.03.2001 and it was forwarded to the Government for approval. The Government issued G.O.Ms.No.343 dated 20.12.2006 directing the CMDA to implement the scheme carefully in consultation with the Highways Department on account of minor adjustments required at certain points and ensure that



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the project does not get delayed on account of interdepartmental consultation or on account of works like flyovers etc. In the year 2010, Chitta and Adangal was issued by Tamil Nadu Housing Board in respect of the S.No.223 of Padi Village.

6. In the above backdrop, the learned counsel for the petitioners would submit that the petitioners have purchased the subject property from one Mahalakshmi and her husband P.Ganesan. Mr.Ganesan executed a settlement deed in favour of his wife Mahalakshmi and the sale deed was executed in the year 2013. After purchase of the subject property, the petitioner submitted application for No Objection Certificate. The Special Tahsildar, Land Acquisition, as per the application had issued a letter addressing to P.Ganesan S/o Periyasamy and Mahalakshmi, W/o P.Ganesan on 20.03.2020 and issued No Objection Certificate in respect of the land comprised in Old S.No.223 an extent of 0.93 cents at Padi Village Ambathur. Relying on the No Objection Certificate, the learned counsel for the petitioners would reiterate that the petitioners are the bonafide purchasers of the subject land on payment of sale consideration and subsequently, patta also was granted in their name by the Tahsildar. In respect of a portion of the land, measuring 0.56 cents in S.No.223, it was quashed by the order of the High Court in W.P.No.3335 of 1980 dated 19.03.1990.



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7. The learned counsel for the Housing Board would oppose stating that the petitioners have not purchased the land from the erstwhile original owners of the acquired land. Even Mr.Ganesan and Mrs.Mahalakshmi have not purchased from the original owners. They are third parties, who had illegally sold the subject property in favour of the petitioners. Therefore, the petitioners have to sue their vendors for illegal execution of sale deed in respect of the subject property belonging to the Tamil Nadu Housing Board. The petitioners have no right at all. They are not only mere third parties, but they are not subsequent purchasers from the original owners. For all purposes, they are alien to the subject property and therefore, the writ petition is to be rejected.

8. We have carefully gone through the documents produced before this Court.

9. Award No.2/1982 dated 17.02.1982 would show that the entire extent in S.No.223 measuring to an extent of 0.93 acres were acquired. Transfer of charge certificate was issued on 03.03.1988. The Government on acquisition, handed over the land to the Housing Board, the requisitioning body for development of Housing Schemes. Certain public related projects are proposed to be carried out by the CMDA and under these circumstances, this Court has to consider whether the claim of the petitioners is to be considered.



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10. The petitioners are not able to establish that they have any right over the subject land. As far as the original land owners are concerned, they had received the compensation and submitted an application seeking enhancement of compensation which was granted and settled in favour of the land owners. The petitioners had not purchased the land from the original owners. They have purchased the land from one Mrs.Mahalakshmi and Mr.Ganesan and they are no way connected with the subject land and they are aliens to the property and therefore, the petitioners have to sue their vendors seeking appropriate remedy including damages or initiate criminal proceedings. In the absence of any right in respect of the subject land, the Court cannot grant the relief. Earlier, writ petition was filed by the petitioners and the Division Bench of this Court directed the Housing Board to provide an opportunity and thereafter, take a decision. Pursuant to the directions of this Court, the petitioners submitted representation and the Executive Engineer cum Administrative Officer conducted an enquiry on 05.10.2023 and passed the impugned order stating that the documents produced by the petitioners have been verified and the petitioners have not established any right in respect of the subject property. Consequently, their claim was rejected.

11. Regarding No Objection Certificate issued by the Special



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Tahsildar, the letter does not contain any reference regarding acquisition proceedings nor the Court proceedings or the report or objection from the Tamil Nadu Housing Board. The sanctity of the letter issued by the Special Tahsildar cannot be trusted upon nor be considered, since there is absolutely no reference or details of acquisition proceedings and other subsequent developments occurred. As per the Housing Board, Chitta Adangal was granted in the name of the Tamil Nadu Housing Board. Therefore, any other subsequent patta granted without cancelling the Chitta Adangal standing in the name of the Housing Board, without hearing the Housing Board, cannot be considered as a valid patta. Therefore, the contentions raised on behalf of the petitioners in this regard deserve no merit consideration. If at all the vendors to the petitioners have illegally sold the property in a fraudulent manner, the petitioners have to sue their vendors seeking appropriate remedy. However, the lands acquired for the benefit of the requisitioning Body, namely Tamil Nadu Housing Board, who in turn, has taken possession of the land, settled compensation and enhanced compensation to the original owners, cannot be interfered with. Thus, this Court is of the considered view that the decision taken by the Tamil Nadu Housing Board is based on the acquisition proceedings and the subsequent mutation of revenue records in favour of the Tamil Nadu Housing Board, and there is no infirmity.



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12. For all the above reasons, the petitioners have not established, even a semblance of legal rights for the purpose of granting the relief.

Accordingly, the Writ Petitions are dismissed. No costs. Consequently connected miscellaneous petitions are closed.

(S.M.S.,J.) (C.K.,J.)

11.12.2025

vsi

Index : Yes

Speaking order : Yes

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