



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 1742 of 2023

Shanthi Sudharsan

Petitioner(s)

Vs

1. The Chairman
Tamil Nadu Housing Board,
CMDA Complex,
E and C Market Road,
Koyambedu,
Chennai-600 107.

2. The Special Tahsildar (LA),
Bagalur Road,
Hosur-635 109,
Dharmapuri District.

3. The Sub Registrar,
40, M.G.Road, Near Gandhi Statue,
Hosur-635 109,
Dharmapuri District.

Respondent(s)



PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondent No.1 to issue no objection certificate to enable the petitioner to sell her schedule mentioned property and consequently direct the respondents No.3 to registered the sale deed conveying the schedule mentioned property within the time frame as may be fixed by this High Court.

For Petitioner(s): Mr.S.Sridharan

For Respondent(s): Mr.S.Ramachandran
Standing Counsel for R1

Mr.E.Veda Bagath Singh
Special Government Pleader
for R2 and R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the Tamil Nadu Housing Board to issue No Objection Certificate in order to enable the petitioner to deal with the subject property.

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



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6. It is submitted that the, the Tamil Nadu Housing Board has proposed to acquire lands in Hosur village and taluk, Krishnagiri District for the formation of Hosur neighborhood scheme. For this purpose various lands were acquired in S.No.522/1B, 532/2A, 533/1B etc., Hosur village and taluk, Krishnagiri District for an total extent of 0.97.5 Hectare i.e (2.40 acres) including the subject property in S.No.670/1A measuring to an extent of 0.24.0 Hectare i.e (0.59 acre) under the Land Acquisition Act 1894.

7. Then the 4(1) notification under the Land Acquisition Act 1894 was issued vide G.O.MS.No.849 Housing and Urban Department dated, 21.05.1991. The same was published in the Government Gazette on 26.07.1991 and the news paper publication was also published on 21.08.1991.

8. Later the, 5(A) enquiry was conducted on 10.10.1991 and the Draft Declaration under section 6 of the Land Acquisition Act 1894, was approved by the Government vide G.O.MS. No.537 Housing and Urban Department dated 20.08.1992. After duly serving the notices under section 9(1) and 3 of the Land Acquisition Act, the award enquiry was conducted by the Land



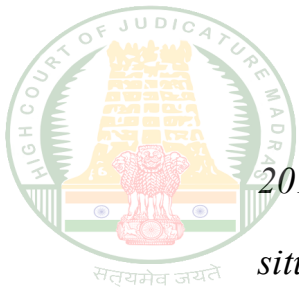
Acquisition Officer.

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9. Concluding, the Award was passed on 19.08.1994 vide Award No.18/94 and the award amount of Rs. 3,95,660/- was deposited in the treasury for entire lands out of which the award amount of Rs.87,844/- was paid for the subject land. Later the possession of land was handed over to Tamil Nadu Housing Board on 12.12.1994.

10. It is submitted that the related revenue records such as the Patta was transferred in the name of Tamilnadu Housing Board vide Patta No 444. Later and the land bearing S. No.670/1A, Hosur Village, measuring to an extent of 0.59 acre land was included in the Hosur NHS Phase-VII and the same was approved by the LP./DTCP No. 231/2002. Moreover all the adjoining lands were well developed including the works like levelling, formation of parks, drainage formation, road formation, divider wall formation, culverts construction are completed finely along with the residential plots and commercial sites which are put for sale.

11. It is submitted that, the Vendor Mr. Muni Venkatajulu from whom petitioner's brother Purchased the subject land had approached this Hon'ble High Court by filing W.P.No. 19097 of



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2011, also seeking for reconveyance of for the land in S.No.670/1A situated at Hosur Village, Krishnagiri District measuring an extent of 0.24.0 Hectare. Wherein this Hon'ble High Court had disposed the above said Writ Petition by its order dated 16.03.2018 against the writ petitioner's Plea for reconveyance. Hereby it is clear that the vendor had no title to settle the property in favour of the Petitioner's brother Thiru. P. Ramesh. Nonetheless being fully aware of the said order, the petitioner herein has filed the present writ petition to circumvent the orders of this Hon'ble court. Hereby the Petitioner has no Locus standi to file the present Writ Petition and thus, for the aforesaid reason this writ petition needs to be dismissed in Limine.

12. It is submitted that, the respondent as stated supra reiterates that the land situated in S.No. 670/1A at Hosur Village, Krishnagiri District measuring to an extent of 0.24.0 hectare already vests with the Tamil Nadu Housing Board and the revenue records also vouchsafe the same and therefore the claim of the petitioner to issue the No Objection Certificate to register the respondent's land to third party is unknown in law and needs this Hon'ble Court interference in putting justice.



3. It is clear from the above that the subject property has already been acquired by the Housing Board and the revenue records now stands in the name of the Housing Board in Patta No.444. It is also seen that the vendor of the petitioner's brother had already approached this Court and sought for reconveyance of the land and this writ petition was disposed of on 16.03.2018. Hence, the petitioner is aware of the fact that the property has already been acquired and its stands in the name of the Housing Board. Therefore, there is absolutely no justification in seeking for issuance of No Objection Certificate to the petitioner to deal with the property.

4. In view of the above, this writ petition stands dismissed. No Costs.

11-06-2025

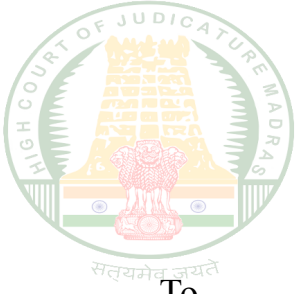
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To
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N.ANAND VENKATESH J.

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