



W.P.Nos.34393 and 34395 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 17.02.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.34393 and 34395 of 2024

G.K.Thangavel

.. Petitioner in W.P.No.34393 of 2024

1. Loganayagi Duraisamy

2. Shiyam Duraisamy

3. Gowtham Duraisamy

.. Petitioners in W.P.No.34395 of 2024

Versus

1. The State of Tamil Nadu,

Rep. by the Secretary to Government,

Housing & Urban Development Department,

Secretariat, Fort St. George,

Chennai - 600 009.

2. The Managing Director,

Tamil Nadu Housing Board, CMDA Building,

E & C Market Road, Koyambedu,

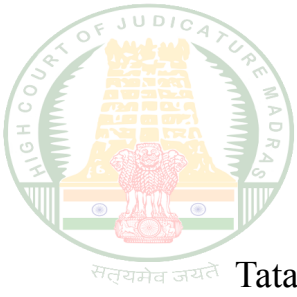
Chennai - 600 107.

3. The Executive Engineer & Administrative Officer,

Tamil Nadu Housing Board - Coimbatore

Housing Unit,

<https://www.mhc.tn.gov.in/judis>



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Tatabat, Coimbatore - 641 012. .. Respondents in all W.Ps
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Prayer in W.P.No.34393 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus to directing the respondents to consider petitioner representation, dated 19.03.2024 and issue "No Objection Certificate" within a time frame by this Court.

Prayer in W.P.No.34395 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus to directing the respondents to consider the representation, dated 19.03.2024 of the petitioners and issue "No Objection Certificate" within a time frame by this Court.

In all W.Ps:-

For Petitioners : Mr.B.Viveka Vanan

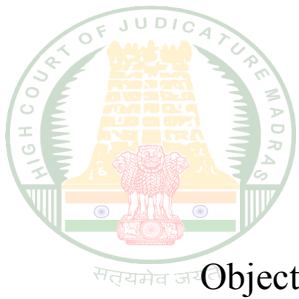
For Respondents : Mr.V.P.R.Elamparithi

: Mr.V.Gunasekar,
Standing Counsel for TNHB,
for RR-2 and 3

COMMON ORDER

These Writ Petitions are filed for a mandamus directing to consider

the representation of the petitioners, dated 19.03.2024 and to issue No



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Objection Certificate within the time frame fixed by this Court.

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2. In this regard, the learned Counsel for the petitioners submits that they are the owners of the Plot Nos.53 and 55 in respect of the S.No.811/1. When the entire extent was the subject matter of the land acquisition proceedings, subsequently, the No Objection Certificate was given in respect of the owners of the Plot Nos.50, 51, 54, 56, 58 and 59, whereas, the same benefit is not extended to the petitioners.

3. When the matters came up for hearing, this Court specifically directed the learned Government Pleader to get instructions as to whether the land acquisition proceedings in respect of the subject matter lands are intact or not. To which, today, the learned Additional Government Pleader, by placing reliance on the instructions given to him, would submit that the land acquisition proceedings are intact and as a matter of fact, those plot owners, who are covered in the earlier order by this Court, got an order of re-



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conveyance by paying the market value. Therefore, the petitioners cannot straightaway pray for No Objection Certificate.

4. If the petitioners plead that the entire land acquisition proceedings are quashed, no such proof is produced before this Court and the respondents are making an unequivocal statement that the land acquisition proceedings are not quashed. If it is the case of the petitioners that they also want re-conveyance like the similarly situated persons, nothing prevents them to make an application in accordance with law in respect thereof offering to pay the market value as is determined in respect of other plot owners and as and when such application is made, the first respondent shall consider in accordance with law especially taking into account the orders that are passed in respect of the other plot owners and dispose of the same in the manner known to law.

5. With the above observations, these Writ Petitions are disposed of.



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There shall be no order as to costs.

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Neutral Citation : no
grs

To

1. The Secretary to Government,
Housing & Urban Development Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Managing Director,
Tamil Nadu Housing Board, CMDA Building,
E & C Market Road, Koyambedu,
Chennai - 600 107.
3. The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board - Coimbatore
Housing Unit,
Tatabat, Coimbatore - 641 012.



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D.BHARATHA CHAKRAVARTHY, J.

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