



W.P.(MD) No.16644 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.16644 of 2025

Dominic Savio

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Housing Board,
Nandanam, Chennai.

2.The Executive Engineer,
Tirunelveli Housing Unit,
Tamil Nadu Housing Board,
Anbu Nagar, Tirunelveli.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to issue a no objection certificate to my property situated in Plot No.18, Survey No.122/2, Sankaraperi Village, Thoothukudi Taluk and District in the light of the order passed by this Court in W.P.Nos.10716 to 10718, W.P.(MD) No.27499 & 27500 of 2022 batch dated 31.08.2023 and on the basis of my reminder letter dated 26.03.2025 as expeditiously as possible within the time to be stipulated by this Court.

For Petitioner : Mr.Vairavan Kasirajan



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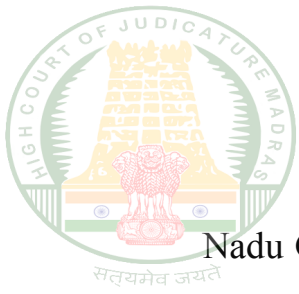
For R2

: Mr.S.Velmurugan

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents to issue a No Objection Certificate in respect of the petitioner's property situated at Plot No.18, Survey No. 122/2, Sankaraperi Village, Thoothukudi Taluk and District, in the light of the order passed by this Court in W.P.Nos.10716 to 10718 and W.P. (MD) Nos.27499 and 27500 of 2022 (batch), dated 31.08.2023, and based on the petitioner's reminder letter dated 26.03.2025, as expeditiously as possible, within the time to be stipulated by this Court.

2. The petitioner appears to have purchased the subject property from one P. Ponnudurai by way of a Sale Deed dated 17.05.2000 for a sum of Rs.30,500/-. The land in question had earlier been acquired by the respondent-Tamil Nadu Housing Board in the year 1988. Notifications under Section 4(1) of the Land Acquisition Act, 1894, were issued for acquisition of land for the formation of the Neighbourhood Scheme of the Tamil Nadu Housing Board. G.O.Ms.No.1173, Housing and Urban Development Department, dated 29.07.1986, was published in the Tamil



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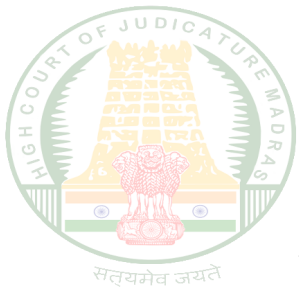
Nadu Government Gazette on 30.07.1986, declaring the acquisition under

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Section 6 of the said Act. Award No.2/88 dated 29.07.1988 was passed by the Special Tahsildar (Land Acquisition), Neighbourhood Scheme, Tuticorin. The said acquisition proceedings were challenged in a batch of Writ Petitions before this Court in W.P.Nos.10716 to 10718 and W.P. (MD) Nos.27499 and 27500 of 2022.

3. The Division Bench of this Court, by its judgment dated 31.08.2023, held that the acquisition proceedings initiated vide Notification issued under Section 4(1) of the Act and the Award passed pursuant thereto were to be quashed. Consequently, a direction was issued to the respondent-Tamil Nadu Housing Board to issue a No Objection Certificate to the petitioners therein.

4. However, it is noticed that the respondents have taken the matter before the Hon'ble Supreme Court in S.L.P. (Civil) Diary No.10443 of 2024 and Diary No.40615 of 2023. By order dated 12.03.2024, while condoning the delay in filing the Special Leave Petitions, the Hon'ble Supreme Court directed that *status quo* be maintained.



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5. In the light of the above, the question of issuing a No Objection

Certificate to the petitioner cannot be countenanced. The petitioner is also placing reliance on the decision of the Division Bench of this Court, which has been impugned before the Hon'ble Supreme Court in the above Special Leave Petitions. Accordingly, this Writ Petition is dismissed with liberty to the petitioner to approach the respondents after the disposal of the said Special Leave Petitions filed by the respondents before the Hon'ble Supreme Court. No costs.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order

To

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C.SARAVANAN, J.

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