



WEB COPY

WP No. 281 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 281 of 2026

1. Thillai Rani
W/o. Mr B.Nagaraj
No 117-A Janaki Nagar
Ravidranath Thagoor Road,
Ganapathy, Coimbatore - 641 006
2. N.Tina
W/o. V.Senthil Kumar
Residing at 10020, Plambrook Dr. Austin -78717,
Texas, USA.

Petitioner 1 & 2 are
Represented by their Power of Attorney
Mr.L. Srinivas
S/o V.Loganathan
KTVR Gardens, No 220, Marudhakonar Road
Velandipalayam, Coimbatore - 641 025.

..Petitioner(s)

Vs

1. The Managing Director
Tamil Nadu Housing Board
CMDA Complex, E & C Market Road
Koyambedu, Chenani - 600 107.
2. The Executive Engineer
Tamil Nadu Housing Board
No 22C5 + F27 Peelamedu
HUDCO Colony
Coimbatore - 641 004.



3. The Special Tahsildar (Land Acquisition)
Coimbatore Housing Scheme Unit I,
Tamil Nadu housing Board, Tatabad,
Coimbatore.

4. The Tahsildar
Coimbatore North Taluk,
Coimbatore.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to issue “No Objection Certificate” in respect of the lands measuring an extent of 45510 sq.ft or (1 Acre 4 Cents and 208 sq.ft) comprised in S.F.No.65/2 now sub divided as S.No.65/2A sB, 2C, and 2D now T.S. No.2/2, Ganapathy Village, Coimbatore Taluk, Coimbatore District based on the representation given by the petitioner on 19.09.2017 and pass orders.

For Petitioner(s): MR.M.Sriram

For Respondent(s): Mr.V.Gunasekar [R1 & R2]

ORDER

The writ petition has been filed seeking the following relief :

“ To issue a Writ of Mandamus directing the 1st respondent to issue “No Objection Certificate” in respect of the lands measuring an extent of 45510 sq.ft or (1 Acre 4 Cents and 208 sq.ft) comprised in S.F.No.65/2 now sub divided as S.No.65/2A sB, 2C,



and 2D now T.S. No.2/2, Ganapathy Village, Coimbatore Taluk, Coimbatore District based on the representation given by the petitioner on 19.09.2017”

2. The petitioners herein are the co-owners of the subject property and they are represented by their Power of Attorney Mr.L.Srinivas. The said Power of Attorney on behalf of the petitioners has filed the present writ petition seeking the above relief. He would contend that the petitioners herein jointly owned a total extent of 45,510 sq.ft. of vacant lands comprised in S.F.65/2, now sub-divided as S.No.65/2A, 2B, 2C and 2D at Ganapathy Village, Coimbatore Taluk, Coimbatore District, by virtue of sale deeds dated 24.10.2007 executed by their vendors in their favour. The entire extent was purchased by the petitioners in their capacity both as joint purchasers as well as individually.

3. He would submit that even prior to the purchase, the vendors of the petitioners had filed a writ petition before this Court in W.P.No.5483 of 1988, seeking to quash the declaration made under Section 6 of the Land Acquisition Act in G.O.(Ms) No.906 dated 05.09.1985 (Housing) with respect to the subject property and to direct the respondents to exclude the said property from the land acquisition proceedings. By order dated 03.07.1997, this Court had quashed the land acquisition proceedings. Thereafter, the petitioners herein have purchased



the property from the vendors in the year 2007. Subsequent to the purchase, the petitioners had sought for issuance of patta in their names and the 4th respondent vide proceedings dated 24.10.2008 had issued patta in the names of the petitioners jointly.

4. Thereafter, the Power of Attorney on behalf of the petitioners had applied for grant of 'No Objection Certificate' before the Tamil Nadu Housing Board, Chennai, on 19.09.2017, for the purpose of obtaining planning permission and developing the vacant lands. Despite the respondents having received the petitioner's representation and also necessary fees, they have not issued the 'No Objection Certificate' till date. The petitioner would also contend that the land acquisition proceedings with regard to Ganapathy Village had lapsed long ago, and his neighbouring owners had sold their lands by obtaining a NOC. Hence, the petitioner is before this Court seeking a parity.

5. Heard the learned counsel on either side and also perused the material records placed before this Court.

6. Admittedly, the land acquisition proceedings relating to the subject property has been quashed by this Court as early as in the year 1997. A perusal of the records would show that the 4th respondent by proceedings dated 03.05.2013 had issued a 'No Objection Certificate' in favour of the petitioners



for the entire extent of lands. However, the records of the Revenue and Registration Department reflects that the lands belongs to Government. It appears that the respondents after quashing the land acquisition proceedings, had failed to restore the ownership of lands in favour of the petitioner's vendor instead they maintained the lands as Government lands. When the petitioner had approached the Coimbatore Local Planning Authority for obtaining planning permission, they had insisted for “No Objection Certificate” from the Tamil Nadu Housing Board stating that the subject property is free from acquisition. Therefore, the petitioner had approached the Tamil Nadu Housing Board vide his representation dated 19.09.2017, seeking a “No Objection Certificate”. The records also would indicate that the first respondent had sought for a report in this regard from the 2nd respondents vide his communication dated 20.07.2018. It is also the contention of the petitioner that the authorities after conducting physical verification, had submitted the report to the first respondent, despite which, the first respondent has not taken any action to issue ‘No Objection Certificate’, owing to which, the petitioner is not able to develop his property till now.

7. Taking into account that the petitioner had submitted his representation to the first respondent on early as on 19.09.2017, and that no action is seen forthcoming from the first respondent, except the letter dated 20.07.2018 addressed by the first respondent to the second respondent, a mandamus is



issued to the first respondent to consider the representation of the petitioner and issue a No Objection Certificate with regard to the subject property, within three weeks from the date of receipt of a copy of this order.

8. With the above directions, the writ petition is allowed. No costs.

03-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS

To:

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Tamil Nadu Housing Board
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Koyambedu, Chennai - 600 107.
2. The Executive Engineer
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