



WEB COPY

W.P.No.9262 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM:

THE HON'BLE MR JUSTICE M.DHANDAPANI

W,P,No. 9262 of 2026

and W.M.P.Nos.9969 & 9973 of 2026

Mr. K.M. Kannan
S/o. Late. V. Kathavarayan
Old No.16/4 New No.35,
Akbarabad 1st Street,
Kodambakkam,
Chennai-600 024

..Petitioner

Vs

1. The State of Tamil Nadu
Rep. By its Secretary to Government,
Housing and Urban Development Dept.
Fort St. George,
Chennai-600 009
2. The Chairman -Cum-Managing Director
Tamil Nadu Housing Board,
TNHB Office Complex,
493, Anna Salai, Nandanam,
Chennai-600 035
3. The Executive Engineer and Administrative
Officer, K.K. Nagar Division,
Tamil Nadu Housing Board,
C-48, TNHB complex, Anna Nagar,
2nd Avenue, Chennai-600 040
4. Land Acquisition Officer and
Special Tahsildar, LA-III,
Tamil Nadu Housing Board,
1st Main Road, CIT Nagar,
Nandanam, Chennai-600 035



5. The Sub-Registrar
Office of the Sub Registrar,
Kodambakkam at 63 KPK Towers,
Jawaharlal Nehru Salai, 100 Feet Road,
Arumbakkam, Chennai-600 106

..Responden

PRAYER: Writ Petition filed under Article 226 of the Constitution of India calling for the records of the 3rd Respondent relating to Circular No.K.K.Na.Ko./Ni.Aa.Pi/1948/21 dated 22.10.2024 in so far as it pertains to T.S. No.16/4 and to quash the same and further direct the 2nd Respondent to issue No Objection Certificate in respect of the petitioners property comprised in T.S. No.16/4, Block NO.38, 109 Puliur Village situated at Old No.16/4 New No.35 Akbarabad 1st Street, Kodambakkam, Chennai-600 024, measuring 0.09 Acre (1 ground and 1306 Sq. ft.) within a time frame as fixed by this Honble Court

For Petitioner: M/s. B. RAVI RAJA

For Respondents: Mr.A.M.Ravindranath Jeyapal for RR 2 & 3

Mr.R.Murthi, Government Advocate,
For RR 1 , 4 & 5

ORDER

Aggrieved against the denial of grant of 'No Objection Certificate' (NOC) to the petitioner vide the impugned order passed by the third respondent vide Circular No.K.K.Na.Ko./Ni.Aa.Pi/1948/21 dated 22.10.2024, the petitioner has preferred the present writ petition.



2. The case arises out of the following facts:-

The petitioner herein has purchased a land situated at Old No.T.S.No.16/4, New no.38, Akbarabad 1st street, Kodambakkam, Chennai 600 024 measuring 0.09 acres (1 ground and 1306 sq.ft) vide sale deed dated 04.02.1981. The Government had initiated acquisition proceedings under the Land Acquisition Act, 1894. Challenging the said acquisition, the petitioner filed a writ petition in W.P.No.3902 of 1988, wherein an order of interim stay was granted. Subsequently, an Award came to be passed on 18.05.1999, when stay of the above proceedings was already in existence. Against the said Award, the petitioner filed another writ petition in W.P.No.9795 of 1999, whereby the impugned Award was set aside vide order of this Court dated 09.07.2010 on the ground that the Award was passed contrary to Section 11- A of the Land Acquisition Act, 1894 and also barred by limitation. Thereafter, the petitioner made an application seeking for issuance of 'No Objection Certificate' (NOC) before the Tamil Nadu Housing Board. But to the shock and surprise of the petitioner, the said application came to be rejected vide the impugned order dated 22.10.2024. Aggrieved against the same, the present Writ Petition is filed.

3. According to the learned counsel for the petitioner, the land acquisition proceedings itself was quashed by this Court and in the absence of filing of an appeal by the respondents against the above said order, the rejection of the request made by the petitioner seeking NOC warrants the interference of this



Court and hence prayed for passing appropriate orders in this regard.

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4. Though the respondents have not filed any counter, upon instructions, the learned Government Advocate would submit that the respondents / Housing Board is not a party to W.P.No.9795 of 1999 filed by the petitioner and therefore, the order passed by this Court is not applicable to the respondents and accordingly, prayed for dismissing the claim made by the petitioner.

5. Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court.

6. Perusal of records would reveal that the respondents are the acquisition body who made a representation to the State Government for acquisition of lands for the purpose of housing and the acquisition body has issued a Notification and the same was challenged before this Court in W.P.3902 of 1988. Subsequently, an Award was passed on 18.05.1999 and the said Award was challenged by way of W.P.No.9795 of 1999 and the same came to be allowed vide order dated 9.07.2010 on the ground that the Award was passed within the period of limitation and the impugned order was in contrary to Section 11 A of the Act. However, as against the said Award, no appeal was preferred either by the Acquisition Authority or by the requisition body. Hence, the order has attained finality. In the considered opinion of this Court, there will



be no legal impediment for the respondents to issue 'No Objection Certificate' (NOC) to the petitioner. Therefore, this Court directs the respondents to issue NOC to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition stands Allowed. No costs. Consequently, connected miscellaneous petitions are closed.

15-04-2026

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

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Order made in
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