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W.P.No.13756 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P.No.13756 of 2026

R.Sakthivel

...Petitioner

Vs

1. The District Collector, Office
of the District Collector,
Coimbatore
2. The Managing Director
Tamil Nadu Housing Board,
6th Floor, CMDA, I & C Market
Road, Koyamedu, Chennai-600107
3. The Executive Engineer
Tamilnadu Housing Board,
Coimbatore housing Division,
P.S.G Hospital nearby Peelamedu,
Coimbatore
4. The Special Tahsildar (LA)
Land Acquisition,
Coimbatore North Taluk,
P.S.G. Hospital nearby Peelamedu,
Coimbatore



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5. The Tahsidlar, Coimbatore
North Taluk, Coimbatore

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd and 3rd respondents to issue the No-Objection Certificate for the property comprised in S.F.Nos.845/1 (2 acres 14 cents), 845/2 (1acre 78 cents), 846/1 (1 acre 32 cents) and 847/1 (1 acre 6 cents) totally admeasuring to an extent of 6 acres and 30 cents situated at Kalapatti Village, Coimbatore based on the petitioner's representation dated 09.10.2024 within the stipulated time fixed by this Court.

For Petitioner: Ms.R.Reshma

For Respondents: Mr.S.Balamurugan, GA for R1
Mr.V.Gunasekar, Standing Counsel
for R2 & R3
Mr.C.Jayaprakash, GA for R4 & R5

ORDER

This is a petition filed by the petitioner seeking a direction to



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respondents 2 and 3 to consider his representation dated 09.10.2024 to issue a no objection certificate in respect of the property in S.F.Nos.845/1 (2 acres 14 cents), 845/2 (1 acre 78 cents), 846/1 (1 acre 32 cents) and 847/1 (1 acre 6 cents) totally admeasuring an extent of 6 acres 30 cents situated at Kalapatti Village, Coimbatore.

2. Heard the learned counsel for the petitioner, the learned Government Advocate accepting notice for the first respondent, the learned Standing Counsel accepting notice for respondents 2 and 3 and the learned Government Advocate accepting notice for respondents 4 and 5.

3. The case of the petitioner is as follows:

(i) The petitioner is the absolute owner of the subject properties. He acquired the subject properties by way of a Will dated 19.2.2024 executed by one Mr.D.Balasubramanian, who is none other than the cousin brother of the petitioner. The Will was registered as doc.No.46 of 2024 on the file of the Sub-Registrar, Sulur along with other properties. The said Mr.D.



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Balasubramanian died on 18.3.2024. By virtue of the said Will dated 19.2.2024, the petitioner has been in continuous, peaceful and uninterrupted possession and enjoyment of the properties bequeathed.

(ii) Earlier, during 1990, the Tamil Nadu Housing Board purported to initiate land acquisition proceedings in respect of the lands in Kalapatti Village for formation of Tamil Nadu Neighbourhood Scheme. But, neither the petitioner nor the predecessors in title were served with any statutory notice nor any compensation was paid. In 1998, similarly placed persons like the petitioner challenged the very same acquisition proceedings by filing W.P.No.16417 of 1998 etc. batch. This Court, by a common order dated 30.8.2010, quashed the entire acquisition notification and it was subsequently affirmed by a Division Bench of this Court vide common judgment in W.A.No.422 of 2011 etc. cases dated 14.9.2011 as confirmed by the Hon'ble Supreme Court vide common order dated 13.4.2012 in S.L.P.(Civil) Nos.6063 to 6066 of 2012.



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(iii) When a few other land owners filed W.P.No.11778 of 2013 before this Court seeking to quash the acquisition proceedings, this Court, by order dated 02.12.2019, held that the entire Kalapatti Neighbourhood Scheme itself was dropped and that quashing of the acquisition proceedings operated in rem. When the petitioner made preparations to develop the subject properties, the officials of the Tamil Nadu Housing Board informed him that he must obtain a No Objection Certificate (NOC) from them so as to mutate the revenue records.

(iv) Later, vide G.O.Ms.No.136 Housing & Urban Development [LA2(2)] Department dated 10.10.2023, the Government constituted a Special Committee to deal with the issuance of the NOC and other land related matters, in which, the Commissioner of Land Administration is the Chairman and the second respondent is the Member.

(v) Therefore, the petitioner made a representation dated 09.10.2024 to both the Commissioner, Land Administration, Chepauk, Chennai-5 as well as the second respondent seeking to issue the NOC. But, till date, the said representation has not yet been considered. Due to that, the petitioner could not mutate the revenue records nor secure the



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statutory approvals.

(vi) The petitioner, along with one Mr.R.Arul Prakash, filed CMP. No.20996 of 2024 in S.A.(SR) No. 111658 of 2024 seeking to condone the delay of 6779 days in filing the second appeal and it is still pending before this Court. In view of the categorical judicial pronouncements quashing the acquisition proceedings and dropping the scheme itself, the insistence on securing the NOC is arbitrary. As a lawful owner of the subject properties, the petitioner is entitled to develop, sell and deal with the subject properties without any hindrance. Hence the writ petition.

4. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record.

5. The representation is pending from October 2024. A duty is cast upon the Statutory Authorities to consider the same and pass orders within a time frame. The Statutory Authorities cannot keep the representation pending for a long time without passing any orders by keeping the



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petitioner in total darkness.

6. Considering the limited nature of the relief sought for and without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction to the second respondent to consider the said representation of the petitioner dated 09.10.2024 for issuance of the NOC in respect of the subject lands, on merits and pass appropriate orders thereon in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

10-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The District Collector, Office of
the District Collector, Coimbatore
2. The Managing Director
Tamil Nadu Housing Board,
6th Floor, CMDA I & C Market
Road, Koyamedu, Chennai 600107



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3. The Executive Engineer
Tamilnadu Housing Board,
Coimbatore Housing Division,
P.S.G Hospital, nearby Peelamedu,
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M.DHANDAPANI, J.

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