



WEB COPY

W.P.No.38019 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 38019 of 2024

V.V.Manickkam

...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,
Koyambedu, Chennai -600 107.

3. The Executive Engineer,
Tamil Nadu Housing Board,
Coimbatore Housing Division,
P.S.G. Hospital nearby Peelamedu,
Coimbatore.



W.P.No.38019 of 2024

4. The Special Tahsildar (LA),
Land Acquisition, Coimbatore,
North Taluk,
P.S.G. Hospital nearby Peelamedu
Coimbatore

5. The Tahsildar,
Coimbatore North Taluk,
Coimbatore

...respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the 2nd and 3rd respondents to issue the No-Objection Certificate for the property situated at Survey No.825/3, Kalapatti (East) Village, Coimbatore, consequently direct the 5th respondent to issue patta in favor of the petitioner based on his representation dated 05.07.2024 within the stipulated period fixed by this Court.

For petitioner : Mr. D.Murugan

For respondents : Mr. D.Gopal
1, 4 and 5 Government Advocate



W.P.No.38019 of 2

For respondents : Mr. V.Gunasekaran
2 and 3 Standing Counsel

ORDER

This writ petition is filed for the following relief:

“To direct the 2nd and 3rd respondents to issue the No-Objection Certificate for the property situate at Survey No.825/3, Kalapatti (East) Village, Coimbatore, consequently direct the 5th respondent to issue patta in favor of the petitioner based on his representation dated 05.07.2024 within the stipulated period fixed by this Court.”

2. The petitioner submits that the subject property, situate in Survey No. 825/3, Kalapatti (East) Village, Coimbatore Taluk and Coimbatore District, originally belonged to K.Palanisamy and K.Krishnasamy. They partitioned the property measuring approximately 3085 sq. ft., under a partition deed bearing No.388 of 1978, on the file of the Sub-Registrar’s Office, Gandhipuram.



WEB COPY

3. The petitioner submits that subsequently the 4th respondent initiated land acquisition proceedings for the said property through notification in G.O.Ms.No.538 dated 05.04.1991, by the Housing & Urban Development Department, followed by a declaration in G.O.Ms.No.239 dated 07.05.1992.

4. The petitioner would submit that challenging the above acquisition, writ petitions in WP.Nos. 21248 and 24259 of 2005 were filed by land owners. This Court by order dated 09.08.2005, quashed the acquisition proceedings due to non-compliance within a two year statutory period specified under Section 11-A of the Act.

5. The petitioner submits that following the order of this Court, the 4th respondent, in proceedings in ROC.No.W.P.No.21248/05 dated 28.09.2005, issued a "No Objection Certificate" to the landowners in W.P.No.21248 of 2005. However, no reference was made regarding the petitioner's vendors who had filed W.P.No.24259 of 2005.



WEB COPY

6. The petitioner submits that he has lawfully acquired the property in Survey No. 825/3, measuring approximately 3085 sq. ft., from Mrs.Poovathal and Mr.Balakrishnan of Karupparayankottai village, through a registered sale deed at the Sub Registrar Office, Kattupakkam. Since then, the petitioner has been in lawful possession and enjoyment of the property and subsequently applied for patta on the file of the 5th respondent. Since there is no response, the petitioner filed a representation to the 1st respondent on 26.10.2015, seeking a direction to the 5th respondent for issuance of patta, which also went unaddressed.

7. The petitioner submits that due to the inaction on his patta application, he filed W.P.No.6239 of 2018 before this Court. On 20.03.2018, the Court directed the 5th respondent to consider the petitioner's representation dated 26.10.2015 and pass appropriate orders. In compliance of the said order, the 5th respondent issued a notice dated 04.05.2018 to the petitioner stating that the property is under the Tamil Nadu Housing Board's acquisition scheme and



instructed the petitioner to obtain "No Objection Certificate" (NOC) from the 2nd and 3rd respondents for issuing patta.

WEB COPY

8. Thereafter, the petitioner submitted a representation dated 07.06.2018 to the 2nd and 3rd respondents, with all necessary documents and prescribed fees, including a demand draft of Rs.1180 dated 02.07.2018. Thereafter, once again the petitioner made a representation dated 05.07.2024 to the respondents. However, to date no action has been taken. Therefore, the petitioner is before this Court.

9. Heard the rival submissions on the either side and perused the records.

10. The land acquisition proceedings were initiated in respect of the lands situate at S.Nos. 824 and 825. Subsequently, the owners of lands filed writ petitions and by order dated 09.08.2005, this Court has quashed the acquisition proceedings. The properties had also not changed hands to the Tamil Nadu Housing and Urban Development Department.



W.P.No.38019 of 2025

WEB COPY

11. Considering the above facts, the 2nd and 3rd respondents are directed to issue “No Objection Certificate” for the property situate at S.No.825/3, Kalapatti (East) Village, Coimbatore, to the petitioner within a period of 4 weeks from the date of receipt of a copy of this order. On receipt of the “No Objection Certificate”, the 5th respondent shall consider the petitioner’s application for issuance of patta, in accordance with law, within a period of 2 weeks therefrom.

12. With the above observation and direction, this writ petition is allowed. No costs.

07.01.2026

Index : Yes/No
Internet : Yes/No

kan



W.P.No.38019 of 2

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,
Koyambedu, Chennai -600 107.
3. The Executive Engineer,
Tamil Nadu 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
5. The Tahsildar,
Coimbatore North Taluk,
Coimbatore



WEB COPY



W.P.No.38019 of 2024

P.T. ASHA, J

kan

W.P.No.38019 of 2024

07.01.2026