

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.28198 of 2014

Sri Mahaveer Funds (P) Ltd.,
rep.by its Managing Director,
Mr.Goutham Chand,
Old No.156, New No.311,
Triplicane High Road,
Chennai - 600 005. Petitioner

Vs.

1. The Assistant Commissioner,
Competent Authority, Urban Land Ceiling,
(Poonamallee), No.5, Sannadhi Street,
Second Floor, Poonamallee,
Chennai - 600 056,
2. The Tahsildhar,
Madhuravoyal Taluk,
Samudhaya Koodam,
Alappakkam, Madhuravoyal,
Chennai - 600 116. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents especially the 2nd respondent to incorporate the name of the petitioner as owner in all the revenue records in respect of land in Survey No.1/1, measuring 25 cents of Perumalagaran village, Poonamallee Taluk after proper survey of the lands to enable the 2nd respondent to issue chitta, patta and adangal.

For Petitioner : Mr.T.Thiyagarajan

For Respondents: Mr.V.Subbiah, Spl.Govt.Pleader

O R D E R

Though the matter has been adjourned earlier on six occasions, even now no instructions have been forthcoming from the respondents. In fact, it was also recorded on the last occasion i.e., on 27.11.2015. Hence, this Court is inclined to pass orders on facts.

2. Learned counsel appearing for the petitioner submitted that the proceedings initiated under Urban Land Ceiling Act was quashed by this Court in W.P.No.12024 of 2006 by Order dated 27.9.2010, as confirmed by the Apex Court in S.L.P.No.8504 of 2013 dated 8.7.2013. However, the reply given by the 1st respondent dated 21.8.2014 is contrary to the facts.

3. A perusal of the typed set of papers would show that the statement made by the learned counsel appearing for the petitioner is factually correct. Therefore, a direction is issued to respondent No.2 to issue patta to the petitioner in respect of land in Survey No.1/1, measuring 25 cents of Perumalagaran village, Poonamallee Taluk within a period of eight weeks from the date of receipt of copy of this order, as the reply given by the 1st respondent dated 21.8.2014 is contrary to the facts, based upon the records produced by the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Assistant Commissioner,
Competent Authority, Urban Land Ceiling,
(Poonamallee), No.5, Sannadhi Street,
Second Floor, Poonamallee,
Chennai - 600 056,

2. The Tahsildhar,
Madhuravoyal Taluk,
Samudhaya Koodam,
Alappakkam, Madhuravoyal,
Chennai - 600 116.

+1 cc to Mr.T.Thiyagarajan, Advocate, sr.66337
+1 cc to Government Pleader, sr.66602

W.P.No.28198 of 2014

rv co
kra 30.12.2015