

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 1/12/2015

C O R AM

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

W.P.No.38003 of 2015

1. Tmt.S.Nasira Anjum
2. M.Zarina parveen
3. M.Zahida Parveen
4. M. Shahida Parveen
5. M. Muneer Ahmed
6. M. Yasmeen Sultana
7. M. Zeenath parveen
8. M. Irshad Ahmed
9. M. Nageena Bathool
10. M. Aiysha Siddique
11. M. Faiz Ahmed
12. M. Shadad Ahmed
13. M. Hafsa nazeen
14. M. Madesha Farheen

rep. By their Power Agent
Mr.A.S.Baskaran
Mylapore, Chennai 600 004.

...Petitioners

1. The Director of Urban Land Ceiling
and Urban Land Tax Chepauk,
Chennai 600 005.

2. The Tahsildar, Alandur Taluk,
Kancheepuram District.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to consider the representation of the petitioners dated 30/9/2009 followed by Lawyers Notice dated 1/3/2014 and 23/3/2015 and direct the first respondent to issue No Objection Certificate for the purpose of obtaining patta in respect of Survey No.187/1A, 1B of an extent of 4896 Sq.mts in Pammal Village, Kancheepuram District from the second respondent.

For Petitioner ... Mr.K.Sukumaran

For Respondents ... Mr.R.Lakshmi Narayanan
Additional Government Pleader

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O R D E R

With the consent of the learned counsel appearing for the parties, this writ petition is taken up for final disposal, at the admission stage itself.

2. Heard Mr.K.Sukumaran, learned counsel appearing for the petitioner and Mr.R.Lakshmi Narayanan, learned Additional Government Pleader for the respondents.

3. This writ petition has been filed praying to direct the first respondent to consider the representation of the petitioners dated 30/9/2009 followed by Lawyers Notice dated 1/3/2014 and 23/3/2015 and direct the first respondent to issue No Objection Certificate for the purpose of obtaining patta in respect of Survey No.187/1A, 1B of an extent of 4896 Sq.mts in Pammal Village, Kancheepuram District from the second respondent.

4. The brief facts of the case are that the petitioner is the Power of Attorney of the legal heirs of one late Ahmed Basha, who is said to have owned a large extent of lands in Pammal Village. Proceedings under the Tamil Nadu Urban Land Ceiling Regulation Act was initiated and during the pendency of the proceedings, the Act was repealed and the petitioner filed W.P.No.27949 of 2005, for a direction, to restore legal possession of the property to them.

5. The aforestated writ petition was disposed of on 23/7/2009 and the writ appeal filed against the said order was also dismissed, upholding the order passed in the writ petition. After the Urban Land Ceiling proceedings attained finality, the petitioner filed an application before the second respondent for grant of patta. However, the second respondent is insisting upon No Objection Certificate from the first respondent for possessing the petitioner's application for grant of patta.

6. With the aforestated facts, the petitioner has sent a representation dated 30/9/2009 to the first respondent.

7. Mr.R.Lakshmi Narayanan, learned Additional Government Pleader, accepting notice on behalf of the respondents, submitted that a reasonable time may be granted to the first respondent, to consider the petitioner's representation dated 30/9/2009, followed by legal notices dated 1/3/2014 and 23/3/2015, on merits and in accordance with law, within a period of three months, from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs.

mvs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Director of Urban Land Ceiling
and Urban Land Tax Chepauk,
Chennai 600 005.
 2. The Tahsildar, Alandur Taluk,
Kancheepuram District.
- + 1 CC TO Mr.K.Sukumaran, ADVOCATE SR 65448.

CA/CO
KR/22/12

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