

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEDNESDAY, THE SIXTH DAY OF OCTOBER

TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WRIT MISCELLANEOUS PETITION NO.176 OF 2019

IN

WP.28514 OF 2012

A.Natarajan
rep.by his Power Agent,
R.Dorai,
S/o.Rajagopal,
No.15/89C, Ramasamy Street,
S.I.H.S.Colony, Civil Aerodrome Post,
Coimbatore-641 014.

... Petitioner

-Vs-

- 1 The State of Tamilnadu rep.by its,
The Secretary to Government,
Revenue Department, Fort St.George,
Chennai-600 009.
- 2 The Special Commissioner and Land Reforms,
Chepuk, Chennai-600 005.
- 3 The Competent Authority/Assistant Commissioiner,
(Urban Land Ceiling and Urban Land Tax),
Coimbatore.
- 4 The Tahsildar
Coimbatore South Taluk, Coimbatore-641 018.

...Respondents

Prayer:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith. The High Court will be pleased to condone the delay of 1149 days in filing the application for restoration, to restore the WP No.28514 of 2012.

Therefore, it is prayed that this Hon'ble Court may be pleased to issue a Writ of Declaration or any other order or direction in the nature of a Writ, declaring the acquisition proceedings initiated by the respondents under the provisions of

the Tamil Nadu Urban Land (Ceiling & Regulations) Act, 1978 in respect of the house, ground and premises bearing Door No.15/89C, Ramasamy Street, S.I.H.S.Colony, Civil Aerodrome Post, Comibatore,-641 014, comprised in Survey No.337/5, measuring 3 cents and 415 sq.ft.(1722 sq.ft.), situate at Uppilipalayam Village, Coimbatore South Taluk, Coimbatore Town & District, stands abated in view of Sec.4 of the Tamil Nadu Urban Land (Ceiling & Regulation) Repeal Act, 1999 namely Act 20 of 1999 so as to enable the 4th respondent to incorporate the name of the petitioner as owner of the above property in all the revenue records and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

Order :

This petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.Srinivasan, Advocate for the petitioner and of M.R.Gokulkurishnan Government Advocate for the respondents the court made the following order:-

This petition is filed to condone the delay of 1149 days in filing the application for restoration, to restore the W.P.No.28514 of 2012, which was dismissed for non-prosecution on 28.10.2015.

2.Heard both sides.

3. This petition is allowed on the condition that the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the Tamil Nadu State Legal Services Authority, High Court, Campus, Chennai, within a period of two weeks from the date of receipt of a copy of this order. Failing which, the petition will stand dismissed automatically. On such deposit being made, the Registry is directed to number the restoration petition.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 The State of Tamilnadu rep.by its,
The Secretary to Government,
Revenue Department, Fort St. George,
Chennai-9.

- 2 The Special Commissioner and Land Reforms,
Chepauk, Chennai-5.
- 3 The Competent Authority/Assistant Commissioner,
(Urban Land Ceiling and Urban Land Tax),
Coimbatore.
- 4 The Tahsildar
Coimbatore South Taluk, Coimbatore-641 018.
- 5 The Secretary,
High Court Legal Services Authority,
High Court Campus,
Chennai.

Copy To

- 1 The Sub Assistant Registrar,
Writ AE Section,
High Court, Chennai 104.
- 2 The Section Officer,
Writ-Section,
High Court, Chennai 104.

+1cc to the Government Pleader, S.R.No.52784

Dated:06.10.2021

Decree:

WMP.176/2019
IN
WP.28514/2012

Allowing this petition on
condition to pay a sum of
Rs.5000/- to Tamilnadu Legal
Services Authority etc., as stated
within.

PVS (CO)
PM/09/11/2021