

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P. No.25616 of 2013

Lt. Col. A.Sukumaran Nair

... Petitioner

-vs-

1.The Government of Tamil Nadu
rep. by its Secretary (Land Administration),
Fort St. George, Chennai-600 009.

2.The Tahsildar,
Tambaram, Chennai-600 045.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the second respondent herein to forthwith re-issue the patta in respect of the lands measuring an extent of 0.32 cents comprised in S.No.382/4B, Tambaram Village, Saidapet Taluk, Chengalpet District in favour of the petitioner.

For Petitioner : Ms.P.T.Asha for
M/s.Sarvabhauman Associates

For Respondents : Mr.R.Vijaya Kumar,
Additional Government Pleader

O R D E R

Heard Ms.P.T.Asha, learned counsel for the petitioner and Mr.R.Vijaya Kumar, learned Additional Government Pleader appearing for respondents.

2.The petitioner seeks direction to the second respondent to re-issue the patta in respect of the lands measuring an extent of 0.32 cents comprised in S.No.382/4B, Tambaram Village, Saidapet Taluk, Chengalpet District in favour of the petitioner.

3.The petitioner was owner of the said land and patta was granted in favour of the petitioner. Subsequently, proceedings were initiated under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 and certain lands had been declared as surplus lands and patta

granted in favour of the petitioner was also cancelled. Challenging the proceedings, the petitioner approached this Court by way of filing W.P. No.13287 of 2005. The said writ petition was heard along with the connected matter and by order dated 23.12.2009 the writ petition was allowed and the proceedings initiated under Tamil Nadu Urban Land (Ceiling and Regulation) Act was quashed, in the light of the Repeal Act 20 of 1999. Now, the petitioner seeks re-issuance of patta. The petitioner's application is pending consideration before the authorities till date.

4.In the light of the above, there shall be a direction to the second respondent to consider the petitioner's request to re-issuance of patta in respect of the lands measuring an extent of 0.32 cents comprised in S.No.382/4B, Tambaram Village, Saidapet Taluk, Chengalpet District and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

VGA

To

1.The Secretary (Land Administration),
Government of Tamil Nadu
Fort St. George, Chennai-600 009.

2.The Tahsildar,
Tambaram, Chennai-600 045.

+1cc to M/s.Sarvabhauman Associates, Advocate, S.R.No.13334
+1cc to the Government Pleader, S.R.No.13572

W.P. No.25616 of 2013

MP (CO)
CA(20/03/2015)