

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25784 of 2016

S.Chenguttuvan

... Petitioner

Vs.

1 The Secretary to Government,  
Revenue Department,  
Fort St. George,  
Chennai - 600 009.

2 The Commissioner  
Urban Land Tax and Urban  
Land Ceiling, Ezhilagam,  
Chepauk,  
Chennai - 600 005.

3 The Assistant Commissioner  
Urban Land Tax and urban Land  
Ceiling Madhavaram Division  
No.2, Vivek Nagar,  
Kolathur, Chennai - 600 099.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the First Respondent to consider and pass orders on the petitioner's application dated 17.08.2015 in regard to regularisation of the purchase of the land under innocent buyers scheme as per the G.O. Ms.No.565 Revenue (eep21(2) Department dated 26.09.2008 within a stipulated time as fixed by this Honourable Court.

For Petitioner : No Appearance  
For Respondents : Mr.S.Pattabiraman  
Government Advocate

O R D E R

The petitioner claims to be a retired B.T.Assistant and claims that he has purchased land in Plot No.3 in Survey No.76/1B admeasuring to an extent of 2420 sq.ft. situated at No.40, Mathur Village, Madhavaram Taluk, Thiruvallur District

vide registered sale deed bearing document no.3340 of 1983 dated 12.11.1983 registered on the office of the Sub Registrar, Thiruvottiyur and is in possession and enjoyment of the same and was also issued with patta and further according to him, CMDA has also approved the layout vide registration no.97 dated 28.01.2005.

2.The petitioner would further state that when he started to put up a superstructure, it was objected to by the third respondent on the ground that it is a ceiling land. According to the petitioner, he is an innocent purchaser and as per the proceedings of the first respondent dated 26.09.2008, he is entitled to get regularisation of the said land and in this regard, submitted representation dated 12.02.2015 followed by reminder dated 17.08.2015 to the respondents and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner is absent. This Court heard the submissions of Mr.S.Pattabiraman, learned Government Advocate who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's application/ representation dated 12.02.2015 as well as the reminder representation dated 17.08.2015, in accordance with law and pass orders, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.  
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s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

To

1 The Secretary to Government,  
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Fort St. George,  
Chennai - 600 009.

2 The Commissioner  
Urban Land Tax and Urban  
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Chepauk, Chennai - 600 005.

3 The Assistant Commissioner  
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No.2, Vivek Nagar,  
Kolathur, Chennai - 600 099.

+ 1 cc to Mr.M.Ramdass, Advocate SR 42318

+ 1 cc to Govt.Pleader SR 42126

gr(co)  
prk17/8

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