

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.6.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P.No.3859 of 2017

S.Renuka
No.33 HIG-II 3rd Main Road Nolambur
Mogappair West Chennai-37

... PETITIONER

Vs.

- 1 The District Collector
Kancheepuram District Kancheepuram.
- 2 The District Revenue Officer
Kancheepuram District Kancheepuram.
- 3 The Revenue Divisional Officer
Tambaram Revenue Division Tambaram.
- 4 The Tahsildar
Sholinganallur Tahsildar Office
Sholinganallur Chennai.
- 5 Tamilarasi Pandian
W/o Pandian A2/13 Tristar Residency
Mogappair Eri Street Chennai-37
- 6 M/s Sobha Rani Kosaraaju
D/O Late Bapineedu Kosaraaju C-102 Nandanam
Apartments Fatesh Sultan Lane,
Hyderabad- 500 001.
- 7 Mrs.Laxmi Swarupa
W/o S.Ravindra Reddy 205 Oakyard
Apartments 38th Cross East End C Main Road
9th block Jaya Nagar Bangalore.
- 8 Mr.Challa Uma Maheswar Reddy
S/o Challa Mall Reddy Edulavaripalem
Muthukur Mandal Nellore District-524 346
Andhra Pradesh.

9 D.V.Shiva Prasad
S/o D.Reddappa Reddi Plot No.897 Road No.
46 Jubilee Hills Hyderabad.

10 Mr.P.Ayyathurai
S/o Periathambi 2/202 Kovur Village
Sriperumpudur Taluk,
Chengai MGR District.

... RESPONDENTS

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 4th respondent to keep the land in Survey No.143/6, 143/6B under the Urban Land Ceiling category by implementing the order of the 3rd respondent in his proceedings No.Na.Ka.No.2411 2012/Q dated 24/08/2012 by considering the representation of the petitioner dated 22/11/2016

For Petitioner : Mr.V.Neethidurai
Mr.Sai Bharathi Ilan

For Respondents 1to4 : Mr.N.Srinivsan, A.G.P.

O R D E R

According to the petitioner, petitioner is the owner of property comprised in survey No.143/6, 143/6B measuring an extent of 1200 sq.ft. situate in Plot No.57-A, Manimegalai Nagar, Karapakkam Village, Sochinganallur Taluk. The petitioner purchased the said property vide sale deed in Doc.No.11415/1997. Now, the petitioner came to know that aforesaid land has been declared as surplus land under Urban Land Ceiling Act. Petitioner being an innocent purchaser entitled to get benefit under G.O.Ms.No.649, dated 29.7.1998. Hence, the petitioner made representation to the third respondent. In spite of the said representation, no response from the respondents to implement the order of the third respondent. Hence, the present writ petition.

2 As directed by this Court, the fourth respondent filed status report stating that pursuant to the incumbent Tahsildar assumed office has requested the Assistant Commissioner (ULT), Alandur to furnish details of the property comprised in survey No.143/6A, 6B and 6C. On the basis of the report received from the Assistant Commissioner (ULT), only lands in survey No.143/6B1 and 143/6B3 have been declared as surplus lands.

3 The learned Special Govt. Pleader submits that originally lands in survey No.143/6B was subsequently subdivided into 143/6B1, 6B2 and 6B3, B1 and B3 were declared as surplus lands acquired under the Tamil Nadu Urban Land Ceiling Act. In

so far as the land belongs to the petitioner is concerned, its survey No.143/6C is classified as patta land.

4 However, petitioner has requested this Court to grant liberty to place all the facts before the 4th respondent/Tahsildar to establish that the petitioner's property is comes under survey No.143/6B and she is in possession of the said property. Petitioner also produce relevant documents before the 4th respondent to prove that the petitioner's property comes under survey No.143/6B.

5 In the light of the above said fact, the fourth respondent is directed to consider the petitioner's representation, dated 22.11.2016 and pass appropriate orders after providing opportunity to the petitioner as expeditiously as possible preferably within a period of three months from the date of receipt of copy of the order.

6 Accordingly, the writ petition is disposed of with the above directions. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

- 1 The District Collector
Kancheepuram District Kancheepuram.
- 2 The District Revenue Officer
Kancheepuram District Kancheepuram.
- 3 The Revenue Divisional Officer
Tambaram Revenue Division Tambaram.
- 4 The Tahsildar
Sholinganallur Tahsildar Office
Sholinganallur Chennai.

+1cc to Government Pleader in sr.no.43452

W.P.No.3859 of 2017

SS (CO)
NR 30/06/2017