

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.03.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.746 of 2016

N.C.Rukumini

.. Petitioner

Versus

1.The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Revenue Department,
Fort St. George, Chennai - 9.

2.The Commissioner,
Urban Land Tax and Urban Land Ceiling,
Chepauk, Chennai - 5.

3.The Assistant Commissioner,
Urban Land Tax, Alandur,
At Adambakkam, Chennai - 88.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents herein to consider the petitioner's application dated 06.07.2015 and grant regularization in respect of the lands in Old Survey No.22/5, New Survey No.22/11B of an extent of 2592 sq.ft. in Balaji Nagar, Anakaputhur Village, Alandur Taluk, Kancheepuram District under innocent purchaser category under the Government Order in G.O.(Ms).No.565/ULC-I/Rev.Dept., dated 26.09.2008.

For Petitioner : M/s.A.L.Ganthimathi

For Respondents: Mr.S.Diwakar,
Special Government Pleader

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O R D E R

Heard M/s.A.L.Ganthimathi, learned counsel appearing for the petitioner and Mr.S.Diwakar, learned Special Government Pleader appearing for the respondents.

2.The petitioner is a purchaser of the land to an extent of 2592 sq.ft. Situated in S.No.22/11B in Balaji Nagar, Anakaputhur Village, Alandur Taluk, Kancheepuram District. Having found the land belonging to the Government, an application was made by the

petitioner on 06.07.2015 invoking the benefits conferred under G.O.(Ms).No.565/ULC-I/Rev.Dept., dated 26.09.2008. As the said representation is still pending consideration, the present writ petition has been filed.

3.It appears that the petitioner has made an application without complying with the note mentioned in the format, such as, the Court fee stamps to the value of Rs.100/- to be affixed in the application, copies of the applications, documents, parent documents, EB receipt, etc.

4.Considering the above, the writ petition is disposed of by permitting the petitioner to make a fresh application to the 1st respondent by complying with the note mentioned in the application format within a period of four weeks from the date of receipt of a copy of this order. As and when the same has been received, the 1st respondent shall pass appropriate orders on the same within a period of twelve weeks thereafter. This order is passed since the respondents 2 and 3 have already forwarded the papers to the 1st respondent though the note mentioned in the format has not been complied with. Thus, the 1st respondent will have to consider the fresh application along with the recommendation made by the respondents 2 and 3 in so far as the earlier application made by the petitioner on 06.07.2015. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Principal Secretary to Government,
Revenue Department, Fort St. George, Chennai - 9.

2.The Commissioner,
Urban Land Tax and Urban Land Ceiling,
Chepauk, Chennai - 5.

3.The Assistant Commissioner,
Urban Land Tax, Alandur,
At Adambakkam, Chennai - 88.

+1 cc to Mrs.Al.Ganthimathi,advocate,sr.16661
+1 cc to Govt.Pleader,sr.17064.

kk(co)
krd 3/4

W.P.No.746 of 2016