



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No. 14271 of 2017

WEB COPY

G.Thanga Pandian

... Petitioner

Vs.

1.The Principal Secretary/The Commissioner,
Urban Land Ceiling and Urban Land Tax Department,
State of Tamil Nadu,
Chepakkam,
Chennai - 600 005.

2.The District Registrar (Administration)
Office of the District Registrar,
171, Aramanai Salai,
Madurai South,
Madurai District.

3.The Assistant Commissioner
Office of the Assistant Commissioner,
Urban land ceiling and urban land tax department
Madurai, Madurai District.

4.The Thashildar,
Office of the Thashildar,
Thiruparankundram Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to pass appropriate order relating to regularize the petitioner's 2085 square feet housing land in Madurai city survey No.204/B4 in Madurai South Taluk, Madurai District, in accordance with the G.O.Ms.No.565 dated 26.09.2008, Revenue (NA.NI.OO) 1 (f) Department, by considering the petitioner's application dated 19.06.2017, in accordance with law within the time stipulated.

For Petitioner

: Mr.R.Alagumani

For Respondents

: Mr.S.Kumar,

Additional Government Pleader

O R D E R

This writ petition has been filed, seeking a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 19.06.2017 to regularize his 2085 square feet housing land in Madurai city survey No.204/B4 in Madurai South Taluk, Madurai District, in accordance with the G.O.Ms.No.565 dated



26.09.2008, Revenue (NA.NI.OO) 1 (f) Department.

2. Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

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3. It is the case of the petitioner that he is the owner of the house site situated at Madakulam Village, Thiruparankundram Taluk, Madurai District in Survey No.204/B4, totally measuring 2085 square feet. The grievance of the petitioner is that the Revenue Officials claim that they already acquired the said land from the vendor of the petitioner under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. According to the petitioner, he has executed a gift deed on 09.05.2016, in favour of his son and sought to register the same on 22.09.2016, but the Joint VI Sub Registrar denied to register the same. According to the learned counsel for the petitioner, as per G.O.Ms.No.565 dated 26.09.2008, the petitioner is entitled for relief. Hence, he made a representation to the 1st respondent, dated 19.06.2017 and since the same was not considered so far, the petitioner is before this Court.

4. At this juncture, learned Additional Government Pleader has submitted that the application has not been received by the respondents and if received the third respondent is the competent authority to pass orders in this matter.

5. Under such circumstances, the petitioner is directed to furnish a copy of the representation dated 19.06.2017 along with a copy of this order before the third respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the representation of the petitioner dated 19.06.2017 in the light of the G.O.Ms.No.565 dated 26.09.2008 (NA.NI.OO) 1 (f) Department and pass appropriate orders on its own merits and in accordance with law, within a period of four weeks thereafter, after affording due opportunity of hearing to the petitioner.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To:

<https://hcservices.ecourts.gov.in/hcservices/>

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Thiruparankundram Taluk,
Madurai District.

+One cc to Mr.R.Alagumani, Advocate, SR.No.69176

+One cc to The Special Government Pleaded, SR.No.70187

rm/ar
RL/7C/3P/KP/SAR1/10/8/2017

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