

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24..08..2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.20759 of 2018

S.Selvaraj

... Petitioner

-Versus-

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai 600009.
- 2.The Secretary,
Department of Revenue,
Secretariat, Chennai 600009.
- 3.The Principal Commissioner of Land (Admin.,)
Chepauk,
chennai 600005.
- 4.The Assistant Commissioner,
Land Tax, Tambaram,
No.153, Karuneeekar Street,
Office at Adambakkam,
Chennai 600088.
- 5.The District Collector,
Kancheepuram District.
- 6.The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to pass appropriate order in compliance with the provisions of G.O.No.565 dated 26.9.2008 in order to regularize and approve the layout of the land at JAYA NAGAR situated at

No.128 Anagaputhur Village under S.NO.264 bearing Plot No.12-A Ad-measuring 1800 sq.ft of Pammal Sub-Registrar Saidapet Taluk (Previously at Chengai Anna District)presently Kancheepuram district with reference to the proceedings Rc.No.3644/2015/E2 dated 05.03.2018 issued by the 3rd respondent herein within stipulated period prescribed by this court.

For Petitioner : Mr.G.Thangavel
For Respondents : Mr.D.Raja,
Addl. Govt. Pleader
for R1 to R6

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to pass appropriate order regularizing the land purchased by the petitioner and approving the layout of his land at Jaya Nagar situated at No.128, Anagaputhur Village comprised in S.No.264 bearing Plot No.12-A ad-measuring 1800 square in compliance with the provisions of G.O.Ms.No.565, Revenue [ULC1(1)] Department, dated 26.09.2008 and with reference to the proceedings of the 3rd respondent in Rc.No.3644/2015/E2 dated 05.04.2018.

2. According to the petitioner, he has purchased a house plot measuring 1800 square feet on 13.09.1996 by way of a registered sale deed vide Doc.No.76 of 1996. Subsequently, he came to know that a proceedings has been initiated against the erstwhile owner under The Tamil Nadu Urban Land [Ceiling and Regulation] Act, 1978. While so, the Government issued G.O.Ms.No.565, Revenue [ULC1(1)] Department, dated 26.09.2008 directing the authorities concerned to regularize the lands purchased by innocent purchasers on payment of cost. Therefore, invoking the above Government Order, the petitioner submitted his application to the 3rd respondent to regularize his purchase, who, in turn, in and by his proceedings dated 05.03.2018 sent a proposal to the 2nd respondent to regularize the purchase of the petitioner. The grievance of the petitioner is that so far no order has been passed by the 1st respondent. Hence, this writ petition for the relief as stated above.

4. Heard both sides.

5. Considering the fact that already the 3rd respondent has sent a proposal to the 2nd respondent for regularization and the matter pending with the 2nd respondent, without going into the merits of the case, this court directs the 2nd respondent to consider the application of the petitioner for regularization and approval of layout in respect of Plot No.12-A at Jaya Nagar,

Anagaputhur Village, on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Chief Secretary, Government of Tamil Nadu, Secretariat, Chennai 600009.
- 2.The Secretary, Department of Revenue, Secretariat, Chennai-600009.
- 3.The Principal Commissioner of Land (Admin.), Chepauk, Chennai 600005.
- 4.The Assistant Commissioner, Land Tax, Tambaram, No.153, Karunekar Street, Office at Adambakkam, Chennai 600088.
- 5.The District Collector, Kancheepuram District.
- 6.The Tahsildar, Tambaram Taluk, Tambaram, Chennai.

+1cc to Mr.G.Thangavel, Advocate sr.no.58317

+1cc to Government Pleader in sr.no.58372

सत्यमेव जयते

W.P.No.20759 of 2018

nr 26/09/2018

WEB COPY