

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.12.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.31740 of 2018

Mr.M.Sampath

..Petitioner

vs

1.The Special Commissioner
and Commissioner Urban Land Ceiling &
Urban Land Tax,
Ezhilagam, Chepauk, Chennai - 600 005.

2.The Assistant Commissioner,
For Urban & Land Tax, Tambaram,
At Adambakkam, Chennai - 600 088.

3.The Thasildar,
Pallavaram Taluk,
Pallavaram, Chennai - 600 043.

4.The Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George,
Chennai - 600 009.

(R4 - Suo-Motu impleaded as per order dated
10.12.2018 in W.P.No.31740/2018)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondents to consider the application submitted by the petitioner under the innocent buyer category by receiving the amount from the petitioner and regularize the plot purchased by the petitioner comprised in Survey No.22/3A, measuring an extent of 2546 Sq Ft out of 2750 Sq Mtr situated at Anakaputhur Village previously Tambaram Taluk presently Pallavaram Taluk, Kancheepuram District as per law applicable.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.Akhil Akbar Ali
Government Advocate

O R D E R

The relief sought for in this writ petition is for a direction to direct the 1st and 2nd respondents to consider the application submitted by the petitioner under the innocent buyer category by receiving the amount from the petitioner and regularize the plot purchased by the petitioner comprised in Survey No.22/3A, measuring an extent of 2546 Sq Ft out of 2750 Sq Mtr situated at Anakaputhur Village previously Tambaram Taluk presently Pallavaram Taluk, Kancheepuram District.

2.The learned counsel appearing on behalf of the writ petitioner states that the petitioner is an innocent purchaser and he had no knowledge about the Land Ceilings proceedings initiated in respect of the property described in the present writ petition. In this regard, the petitioner made a representation to the respondents to re-convey the property with reference to the Government order, granting benefit to the innocent purchasers. The Government issued G.O.Ms.No.565 dated 26.09.2008 and the petitioner claim the benefit of the policy decision taken by the Government in this regard.

3.In view of the fact that the relief sought for in the present writ petition is to consider the representation, the learned Government Advocate has not raised any serious objections to pass such an order by this Court. Accordingly, the matter is taken up for passing final orders and without going into the merits of the matter, the 4th respondent is directed to consider the application submitted by the writ petitioner in File No.875 of 2016 and pass orders strictly on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to enclose the copy of the application and all other relevant documents along with the orders passed in this writ petition to the 4th respondent, enabling them to consider the matter.

4.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

- 1.The Special Commissioner
and Commissioner Urban Land Ceiling &
Urban Land Tax,
Ezhilagam, Chepauk, Chennai - 600 005.
- 2.The Assistant Commissioner,
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At Adambakkam, Chennai - 600 088.
- 3.The Thasildar,
Pallavaram Taluk, Pallavaram, Chennai - 600 043.
- 4.The Secretary to Government,
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Chennai - 600 009.

+1cc to Mr.T.Ramachandran, Advocate SR.No.84782

W.P.No.31740 of 2018

VBI (CO)
GMY(03/01/2019)