

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.12.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.33073 of 2018

T.Dhamayanthi

...Petitioner

..Vs..

1.State of Tamil Nadu
Rep by Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 600 009.

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

3.The Assistant Commissioner,
Urban Land Tax,
Poonamalle, Chennai - 600 056.

...Respondents

Prayer:Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to pass orders on the application of the petitioner dated 04.08.2016 under the Regularization Scheme of the Revenue Department vide G.O.No.565 dated 26.09.2008 and her representation dated 24.10.2018.

For Petitioner : Mr.P.V.S.Giridhar,
Senior Counsel

For Respondents : Mrs.R.Janaki

O R D E R

The relief sought for in the present Writ Petition is for a direction to the second respondent to pass orders under the Regularization Scheme of the Revenue Department vide G.O.No.565 dated 26.09.2008 and her representation dated 24.10.2018.

2. The Learned counsel for the petitioner made a submission that the Writ Petitioner purchased a land measuring 1798 Sq.ft in Kannagi Nagar in Sy.No.1167/1B, Korattur from one Mr.A.Varadharajan vide sale deed registered as Doc.No.3896 of 1983. On 21.11.1983, the petitioner constructed a residential house and she is residing there from the year 1987 onwards.

3. The claim of the Writ Petitioner is that, she is an innocent purchaser and she is not aware of the proceedings issued under the Land Ceiling Act. Thus, the benefits extended by the Government under the Revenue scheme in G.O.No.565 dated 26.09.2008 is to be extended to the Writ Petitioner. In view of the fact that the Act was repelled during the year 1999, the Government extended the scheme of regularization for the benefit of the innocent purchaser. In this regard, the petitioner submitted a representation on 23.10.2018 & 04.08.2016 to the respondent, which is said to be considered.

4. Thus, going into the merits of the matter, the ***Second** respondent is directed to consider the representation submitted by the Writ Petitioner on 04.08.2016 and subsequent representations if any, and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of copy of this order. The Writ Petitioner is directed to enclose the copy of the representation and all other connected copies in this Writ Petition.

4. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

Dated:18/01/2019

*Corrected as per the order
of this Court dated 05/02/2019
in WP 33073/2018

Sd/-

Assistant Registrar(CS-III)

Dated:22/02/2019

//True Copy//

Sub Assistant Registrar

mrm/kak

To

1. The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Fort St.George, Chennai - 600 009.

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

3.The Assistant Commissioner,
Urban Land Tax,
Poonamalle, Chennai - 600 056.

To be substituted to the
order already
despatched on 04/02/2019

+1 cc to M/s.Giridhar & Sai, Advocate, S.R.No.***10029**

+1 cc to the Government Pleader, S.R.No.86693

W.P.No.33073 of 2018

SSV(CO)
SSM(21/01/2019)
srg 22/02/2019