IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2019

CORAM:

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.23119 of 2006
and
M.P.No.1 of 2011

M/s.Kanipaga Vinayaga Industries,
Rep. by its Managing Partner
V.Rajendran
No.1/923, 10th Street,
Jothi Nagar, Padiyanallur,
Chennai - 600 052. ... Petitioner

Vs.

The Assistant Commissioner(Urban Land Tax)
Madavaram Zone,
Chennai - 600 009. ... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records relating to the proceedings made in Na.Ka.No.2878/92/A dated 05.08.2005 passed by the respondent and quash the same and forbear the respondent from initiating any action or taking possession of the property in pursuant to the impugned order.

For Petitioner : Mr.R.Dhanaraman
for Mr.G.Ethirajulu

For Respondents : Mr.K.S.Suresh
Government Advocate

O R D E R

This Writ Petition has been filed for a writ of Certiorarified and Mandamus, calling for the records relating to the proceedings made in Na.Ka.No.2878/92/A dated 05.08.2005 passed by the respondent and quash the same and forbear the respondent from initiating any action or taking possession of the property in pursuant to the impugned order.

2.When the matter came up for hearing today, the respondent filed an additional affidavit dated 07.03.2019 through Mr.M.Marimuthupandian, Assistant Commissioner(ULT) stating that the Government had issued G.O.Ms.No.111, Revenue ULC II(1) department dated 03.03.2007 to the effect that all actions taken under sub Section (2) of Section 21 of the Tamil Nadu Urban land (Ceiling and Regulation) Act 1978 shall abate and further actions has been dropped. It is further stated in the additional affidavit that the Government in its letter No.392 Revenue Department dated 24.07.2007 has given clarification in respect of the above mentioned G.O.Ms.No.111 Revenue Department to the effect that further action would be dropped in respect of the cases wherein urban land owners filed Writ Petitions against the order of withdrawal of exemption.

3.In view of the categorical clarification by the respondent that no further proceedings shall be taken against the petitioner and in view of the fact that all actions taken under sub Section (2) of Section 21 of the Tamil Nadu Urban Land (Ceiling and Regulation) Act 1978 shall abate and further action has been dropped, the Writ Petition is disposed of by recording the statement made in the said additional affidavit.

4.In the result, the Writ Petition is disposed of. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

rrg

To

The Assistant Commissioner(Urban Land Tax)
Madavaram Zone,
Chennai - 600 009.

+1 cc to Mr.G.Ethirajulu, Advocate, S.R.No.22441

+1 cc to the Government Pleader, S.R.No.22048

W.P.No.23119 of 2006

SSD(CO)
SSM(03/04/2019).