

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7173 of 2019

N.Priya

.. Petitioner

-vs-

1. The Government of Tamil Nadu
Rep. by its Secretary
Department of Revenue
Fort St. George
Chennai 600 009

2. Assistant Commissioner
Urban Land Tax-Tambaram (E)
No.153, Karunigar Street
Adambakkam
Chennai 600 088

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent to complete the enquiry pursuant to the notices in Na.Ka.No.169/2017/B dated 16.03.2018 and in Na.Ka.No.A/169/2017 dated 20.07.2018 and pass an order on the application of the petitioner dated 08.03.2017 regarding her land in S.No.124/A/1A to an extent of 8.5 cents comes under the Peerkankaranai Village, Chennai Corporation extended area, within the stipulated time.

For Petitioner

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Mr.D.Muthukumar for
M/s Paul & Paul

For Respondents

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Mr.K.Ravikumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking a mandamus, directing the second respondent, namely, the Assistant Commissioner, Urban Land Tax-Tambaram (East), Chennai to complete the enquiry pursuant to the notices issued in Na.Ka.No.169/2017/B dated 16.03.2018 and in Na.Ka.No.A/169/2017

dated 20.07.2018 and pass orders on the application of the petitioner dated 08.03.2017 regarding her land in S.No.124/A/1A to an extent of 8.5 cents situate in Peerkankaranai Village, Chennai Corporation extended area, within the stipulated time.

2. The petitioner's husband late Mr.Narayanan is said to have purchased the land in S.No.124A/1A1A to an extent of 33 cents situate at Peerkankaranai through a registered sale deed No.1646 of 1978 dated 17.7.78. After the said purchase, the petitioner's husband passed away on 22.6.2005. Thereafter, the possession of the property has come to the petitioner. Therefore, in February, 2017, the petitioner approached the revenue authorities for issuance of patta to an extent of 8.5 cents. But she was informed that the said land was brought under the Urban Land Ceiling Act, hence, patta cannot be issued. Immediately, she has given a representation for regularisation of the said land. On receipt of the same, notice was issued on 16.3.2018 in Na.Ka.No.169/2017/B directing the petitioner to appear for enquiry on 28.3.2018 and produce all the documents. Again one another notice dated 20.7.2018 in Na.Ka.No.A/169/2017 was issued to appear for an enquiry on 31.7.2018 at 3.00 PM and produce all the documents. Again the petitioner appeared on 31.7.2018. But till date, no order has been passed. Therefore, she has been advised to come to this Court.

3. The learned Additional Government Pleader for the respondents sought three weeks time to pass appropriate orders.

4. This Court, considering the limited prayer, without going to the merits of the case, directs the second respondent to complete the enquiry, pursuant to the notices issued in Na.Ka.No.169/2017/B dated 16.03.2018 and in Na.Ka.No.A/169/2017 dated 20.07.2018, and pass appropriate orders within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते
Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The Secretary to Government
Department of Revenue
Fort St. George
Chennai 600 009

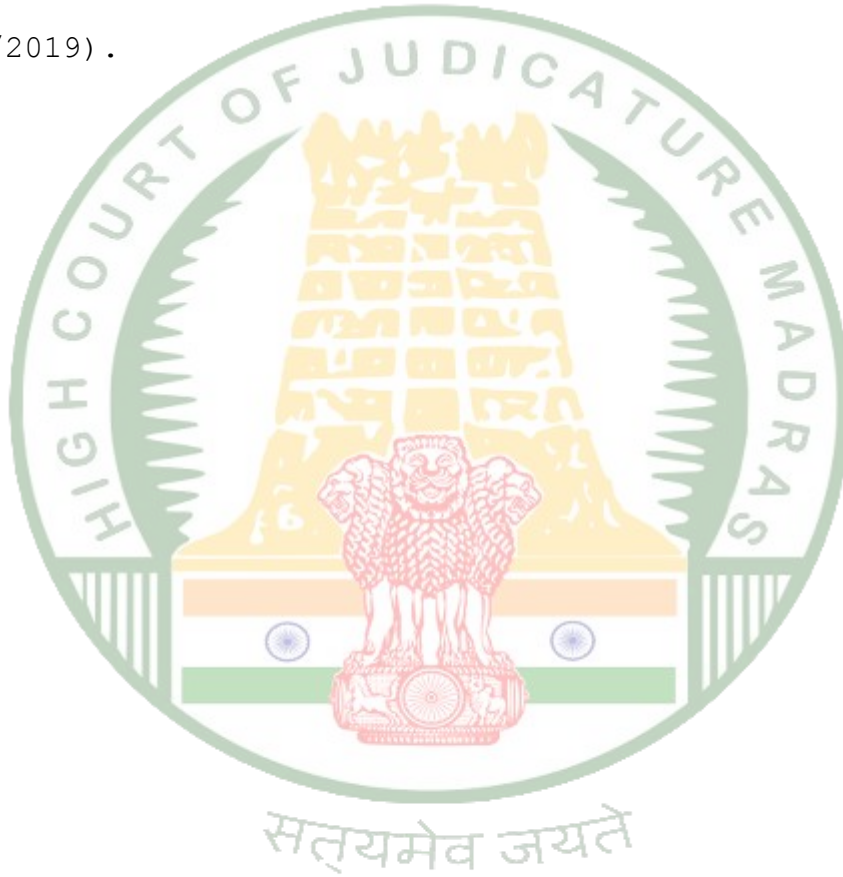
2. The Assistant Commissioner
Urban Land Tax-Tambaram (E)
No.153, Karunigar Street
Adambakkam
Chennai 600 088

+1 cc to M/s.Paul & Paul, Advocate, S.R.No.23577

+1 cc to the Government Pleader, S.R.No.23596

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RGN(CO)
SSM(28/03/2019).



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