

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.30766, 30769, 30772 and 30775 of 2018

S.R.Subramanian

.. Petitioner
in W.Ps.30766,30769
& 30772/18

V.V.Sathiyathan

..Petitioner in
W.P.30775/18

vs.

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

2.The Assistant Commissioner of Urban Land Tax,
District Collector Office Complex,
State Bank Road, Coimbatore-18.

3.The Tahsildar,
Coimbatore South Taluk,
Coimbatore.

4.Village Administrative Officer,
No.12, Perur Chettipalayam Village,
Perur, Coimbatore South Taluk.

.. Respondents
in all W.Ps.

PRAYER in W.P.30766/18: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of mandamus to direct the respondents 1 and 2 to issue "No Objection Certificate" to the petitioner certifying that the vacant house site No.131/A part, measuring an extent of 1400 sq.ft. comprised in Survey No.20/2 part of Perur Chettipalayam Village, Coimbatore South Taluk and District situated in the layout known as "VKV Kovai Kurinchi Nagar" is not under any Urban Land Ceiling Proceedings and direct the respondents 3 and 4 to issue patta to the petitioner's house site pursuant to the

petitioner's representation dated 06.09.2018 within the time to be stipulated by this Court.

PRAYER in W.P.30769/18: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of mandamus to direct the respondents 1 and 2 to issue "No Objection Certificate" to the petitioner certifying that the vacant house site No.131/A part, measuring an extent of 1775.ft. comprised in Survey No.20/2 part of Perur Chettipalayam Village, Coimbatore South Taluk and District situated in the layout known as "VKV Kovai Kurinchi Nagar" is not under any Urban Land Ceiling Proceedings and direct the respondents 3 and 4 to issue patta to the petitioner's house site pursuant to the petitioner's representation dated 06.09.2018 within the time to be stipulated by this Court.

PRAYER in W.P.30772/18:Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of mandamus to direct the respondents 1 and 2 to issue "No Objection Certificate" to the petitioner certifying that the vacant house site No.131/A part, measuring an extent of 420 sq.ft. comprised in Survey No.20/2 part of Perur Chettipalayam Village, Coimbatore South Taluk and District situated in the layout known as "VKV Kovai Kurinchi Nagar" is not under any Urban Land Ceiling Proceedings and direct the respondents 3 and 4 to issue patta to the petitioner's house site pursuant to the petitioner's representation dated 06.09.2018 within the time to be stipulated by this Court.

PRAYER in W.P.30775/18:Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of mandamus to direct the respondents 1 and 2 to issue "No Objection Certificate" to the petitioner certifying that the vacant house site to an extent of 2780 sq.ft. comprised in Survey No.20/2 part of Perur Chettipalayam Village, Coimbatore South Taluk and District situated in the layout known as "VKV Kovai Kurinchi Nagar" is not under any Urban Land Ceiling Proceedings and direct the respondents 3 and 4 to issue patta to the petitioner's house site pursuant to the petitioner's representation dated 06.09.2018 within the time to be stipulated by this Court.

For Petitioner	:	Mr.R.Bharathkumar
in all W.Ps.		
For Respondents	:	Mr.E.Balamurugan
in all W.Ps.		Special Government Pleader

C O M M O N O R D E R

The petitioners seek for a mandamus to direct the respondents 1 and 2 to issue "No Objection Certificate" to the petitioners certifying that the vacant house site No.131/A part, measuring an extent of 1400,1775, 420 and the vacant house site to an extent of 2780 sq.ft. respectively, comprised in Survey No.20/2 part of Perur Chettipalayam Village, Coimbatore South Taluk and District situated in the layout known as "VKV Kovai Kurinchi Nagar" is not under any Urban Land Ceiling Proceedings and direct the respondents 3 and 4 to issue patta to the petitioner's house site pursuant to the petitioner's representation dated 06.09.2018.

2. Heard both sides.

3. The grievance of the petitioners is that they made their respective representations dated 06.09.2018, seeking for issuance of patta for the subject matter properties and the said request has not been considered so far.

4. This Court, at this stage, is not expressing any view on the claim made by the petitioners, as it is for the respondents 3 and 4 to consider and decide the same. Thus, these writ petitions are disposed of, only with a direction to the third and fourth respondents to consider the representations of the petitioners dated 06.09.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the rival claimants, if any. Such exercise shall be done by the third and fourth respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vri

To

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

2.The Assistant Commissioner of Urban Land Tax,
District Collector Office Complex,
State Bank Road, Coimbatore-18.

3.The Tahsildar,
Coimbatore South Taluk,
Coimbatore.

4.Village Administrative Officer,
No.12, Perur Chettipalayam Village,
Perur, Coimbatore South Taluk.

+4cc to Mr.R.Bharath Kumar, Advocate, S.R.No.11598

+1cc to the Government Pleader, S.R.No.11829

W.P.Nos.30766, 30769, 30772 and 30775 of 2018

CP(CO)
GSP(26/02/2019)