

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.01.2019
CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.34467 of 2018

V.Sampath

... Petitioner

Vs

1. Secretary to Government of Tamilnadu,
Revenue and Disaster management Department,
ULC[1(2)] Wing,
Secretariat,
Chennai 600 009.
 2. The Principal Secretary,
Commissioner of Urban land Ceiling
And urban land Tax,
Chepauk, Chennai 600 005.
 3. The District Collector,
Kancheepuram District,
Kancheepuram.
 4. The Assistant Commissioner (ULT),
Tambaram Zone,
Tambaram, Chennai.
 5. The Revenue Divisional Officer,
RDO Office,
Tambaram,
Chennai 600 045.
 6. The Tashildar,
Pallavaram Taluk,
Kancheepuram District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 5th and 6th respondent to pass an order on the petitioner's representation dated 19.01.2018 and 05.07.2018, within the specific time frame.

For Petitioner : Mr.G.Peranban

For Respondents : M/s.R.Janaki,
Additional Government Pleader.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents 5 & 6 to pass orders on the representations submitted by the writ petitioner on 19.01.2018 and 05.07.2018.

2. The learned counsel for the writ petitioner states that the petitioner is the absolute owner of the vacant plot situated at Polichalur Village, Tambaram Taluk, Kancheepuram District, comprised in old Survey No. 231/2F, as per Patta No.1833, New Survey No.231/2F2, to the extent of 1800 Square Feet, which was purchased by the writ petitioner on 23.08.1999 under a registered the sale deed.

3. The petitioner applied for a patta and for a name transfer in respect of the said property purchased by him. However, the respondents had not processed the application under the impression that the land was already declared under the provisions of the Land Ceiling Act. The writ petitioner claims that, he is an innocent purchaser and therefore, he is entitled for the benefit of the Government order issued in this regard.

4. It is further contended that the 2nd respondent has recommended the case of the writ petitioner for the purpose of treating the petitioner as an innocent purchaser, so as to avail the benefits extended by the Government by way of an order.

5. Under these circumstances, the petitioner submitted a representations on 19.01.2018 and on 05.07.2018 to the respondents 5 & 6 and the said application is yet to be considered. Under these circumstances, without going into the merits of the matter, the 6th respondent is directed to consider the representations submitted by the writ petitioner on 19.01.2018 and pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all other relevant documents along with the orders passed in the present writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/- -

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

kak/kmm

To

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+1cc to Mr.G.Peranban , Advocate SR.No. 378

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A.SK(01/02/2019

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