

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.9526 of 2020

and

W.M.P.Nos.11627 & 11628 of 2020

1.R.Ezhumalai,
S/o.Rajagopal.

2.S.Uma,
D/o.M.Rajagopal.

.... Petitioners

Vs.

1. The Principal Secretary/Commissioner,
Urban Land Ceiling and Urban Land Tax Office,
Chepauk, Chennai-600 005.

2. The Assistant Commissioner,
Office of the Assistant Commissioner,Urban Land Tax,
Alandur (E), No.153, Karunigar Street,
Adambakkam, Chennai-88.

3. The Tahsildar,
Office of the Tahsildar,
Sholinganallur,
Chennai 119.

... Respondents.

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus,directing the 3rd respondent to consider the application of the petitioners for issuance of patta dated 12.12.2019 and issue patta in favour of the Petitioners for the property in Survey No.9/1A1A, Pallikaranai Village within a specific time frame.

For Petitioner : Mr.N.Baskaran.

For Respondent : Mr.K.Parameshwaran
Government Advocate

O R D E R

By consent given by both sides, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition has been filed for issuance of writ of mandamus directing the 3rd respondent to consider the application submitted by the petitioners on 12.12.2019, wherein the petitioners have sought for issuance of patta.

3.The case of the petitioners is that they had purchased the property by virtue of registered sale deed dated 20.06.1984. Subsequently, the petitioners came to know that the property is an urban agglomeration land and therefore they took steps to regularize the purchase of the property by approaching the appropriate authority.

4.The further case of the petitioners is that the 1st respondent by proceedings dated 13.11.2019 after considering all the relevant records regularized the purchase made by the petitioners and directed the petitioners to approach the 3rd respondent for issuance of patta.

5.The petitioners therefore submitted an application to the 3rd respondent dated 12.02.2019 seeking for patta. According to the petitioners, the Village Administrative Officer (VAO) had also submitted a report in this regard and till date, the 3rd respondent has not passed any order. Aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

6.Heard Mr.N.Baaskaran, learned counsel appearing on behalf of the petitioner and Mr.K.Parameshwaran, learned Government Advocate, for respondents.

7.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 3rd respondent to immediately take action on the application filed by the petitioners on 12.02.2019, strictly in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of copy of this order.

8.The petitioners are directed to make a fresh representation to the 3rd respondent along with a copy of the application dated 12.02.2019 and other relevant records and also a copy of this order.

9.This writ petition is disposed of with the above directions. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm
To

- 1.The Principal Secretary/Commissioner,
Urban Land Ceiling and Urban Land Tax Office,
Chepauk, Chennai-600 005.
- 2.The Assistant Commissioner,
Office of the Assistant Commissioner, Urban Land Tax,
Alandur (E), No.153, Karunigar Street,
Adambakkam, Chennai-88.
- 3.The Tahsildar,
Office of the Tahsildar,
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BP (CO)
RMP (03/11/2020)

सत्यमेव जयते

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