

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.34430 of 2016

and W.M.P.No.29655 of 2016

C.Sunandhini

... Petitioner

Vs.

- 1.The Commissioner of Urban Land Ceiling, ... Respondents
Chennai - 600 005.
- 2.The Competent Authority of Urban Land Ceiling
and Assistant Commissioner of Urban Land Tax,
Poonamallee, No.5, Sannadhi Street,
Poonamallee,
Chennai - 600 056.
- 3.The Tahsildar,
Ambattur,
Chennai - 600 058.

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 3rd respondent to carry out the mutation of the revenue records and grant patta to the petitioner for the property viz., lands of an extent of 45 cents situated at Vivekananda Nagar, Thirumullaivoyal Village, comprised in 461/12, sub-divided vide Survey Nos.461/2A and 461/2B, Ambattur Taluk, Thiruvallur Revenue District without insisting on No Objection Certificate from the respondents 1 & 2.

For Petitioner : Mr.P.B.Balaji

For Respondents : Ms.A.Madhumathi,
Special Government Pleader

ORDER

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 3rd respondent to carry out the mutation of the revenue records and to grant patta to the petitioner for the property viz., lands to an extent of 45 cents situated at Vivekananda Nagar, Thirumullaivoyal Village, comprised in 461/12, sub-divided vide Survey Nos.461/2A and 461/2B, Ambattur Taluk, Thiruvallur Revenue District without insisting on No Objection Certificate from the respondents 1 &

2. When the Writ Petition is taken up for hearing, Mr.P.B.Balaji, learned counsel appearing for the petitioner submitted that the Hon'ble Supreme Court of India in Diary No.13296 of 2018 dismissed the appeal, confirming the order passed in the Review Application No.78 of 2013. Further, the learned counsel submitted that the Apex Court had already decided the issue and the 3rd respondent is bound to issue patta to the petitioner without insisting on No Objection Certificate from the respondents 1 & 2.

3. Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents submitted that since the Apex Court had dismissed the appeal and settled the issue, the 3rd respondent may be directed to consider the petitioner's application dated 05.07.2016 and pass orders, on merits and in accordance with law, without insisting on No Objection Certificate from the respondents 1 & 2.

4. Having regard to the submissions made by the learned counsel on either side, taking into consideration the dismissal of the appeal by the Hon'ble Supreme Court, I direct the 3rd respondent to consider the petitioner's application dated 05.07.2016 and pass orders, on merits and in accordance with law, without insisting on No Objection Certificate from the respondents 1 & 2, within a period of eight weeks from the date of receipt of a copy of this order.

5. With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

-sd/-

Assistant Registrar (cs)

//True Copy//

Sub Assistant Registrar

va

To

1. The Commissioner of Urban Land Ceiling,
Chennai - 600 005.

2. The Competent Authority of Urban Land Ceiling
and Assistant Commissioner of Urban Land Tax,
Poonamallee, No.5, Sannadhi Street,
Poonamallee,
Chennai - 600 056.

3. The Tahsildar,
Ambattur,
Chennai - 600 058.

+1 C.C.to MR.M.S.P.B.RAMANUJAM, ADVOCATE, SR.NO.40273

+1 C.C.to THE GOVERNMENT PLEADER, SR.NO.40406

W.P.No.34430 of 2016
and W.M.P.No.29655 of 2016

RLD (CO)
UMY (21/12/2020)



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