

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

WP.No.12570 of 2020

V.Sivaprakasam

... Petitioner

Vs.

1. The Secretary,
Revenue Department,
Secretariat, Fort St. George,
Chennai 600 009.
2. The Director,
Urban Land ceiling,
Urban Land Tax, Ezhilagam,
Chepauk, Chennai 600 005.
3. The Member Secretary,
Madras Metropolitan Development Authority,
No.15, EVK sampath Road,
Chennai 600 007.
4. The Assistant Commissioner,
Urban Land Tax,
Poonamallee, Chennai - 600 056
5. The Commissioner,
Urban Land Tax Department,
Secretariat, Chennai 600 009.
6. Thiru Singara Naicker,
Palavedu Village, Saidapet,
Chengalpattu District.

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus to consider the representation dated 11.09.2003 & 31st July 2020, declare the petitioner as an innocent purchase and consequently, direct the respondents to regularise the lands, stands in the name of the petitioner to an extent of 4800 Sq.ft Plot No. 57, 58, Survey No.22(1) located at Muthapudhupet Village, Avadi Municipality, Poonamalle Taluk, Chennai 600 055 which falls under innocent purchaser category in terms of G.O.Ms.No.649 Revenue dated 29.07.1998 and G.O.Ms.No.565 Revenue dated 26.09.2008, within a time frame fixed by this Court.

For Petitioner : Mr.A.Arvind Athithan

For Respondents: Mr.E.Balamurugane
Spl. Govt. Pleader

O R D E R

This Writ Petition has been filed for issue of Mandamus directing the respondents to consider the representations made by the petitioner on 11.09.2003 and 31.07.2020, wherein, the petitioner is seeking for the benefit as an innocent buyer under the relevant Government Order.

2. Mr.E.Balamurugane, learned Special Govt. Pleader, on instructions, submitted that the 5th respondent has already forwarded the recommendation to the 2nd respondent through proceedings dated 28.06.2019. Learned counsel submitted that the petitioner was found to be eligible under the innocent buyer scheme and some time may be fixed for the 2nd and 1st respondents to follow it through and pass final orders.

3. Taking into consideration the facts and circumstances of the case and also of the fact that the 5th respondent has already recommended the case of the petitioner and placed the files before the 2nd respondent, the 2nd respondent is directed to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order and place the files before the 1st respondent and the 1st respondent shall thereafter, proceed to consider the report submitted by the 5th and 2nd respondents in line with G.O.Ms.No.565, dated 26.09.2008 and pass appropriate orders within a period of eight weeks thereafter.

This Writ Petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rka

To

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

2. The Director,
Urban Land ceiling,
Urban Land Tax, Ezhilagam,
Chepauk, Chennai 600 005.
3. The Member Secretary,
Madras Metropolitan Development Authority,
No.15, EVK sampath Road,
Chennai 600 007.
4. The Assistant Commissioner,
Urban Land Tax,
Poonamallee, Chennai - 600 056.
5. The Commissioner,
Urban Land Tax Department,
Secretariat, Chennai 600 009.
6. Thiru Singara Naicker,
Palavedu Village, Saidapet,
Chengalpattu District.

+1cc to the Government Pleader Sr.34107
+1cc to Mr.A.Aravind Athithan, Advocate Sr.33924

WP.No.12570 of 2020

vm[co]
srg 20/11/2020

सत्यमेव जयते

WEB COPY