

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.14016 of 2020

R.Gurunath

... Petitioner

Vs.

1. The Secretary to Government,  
Revenue Department,  
Secretariat, Chennai-9.
2. The Commissioner,  
Urban Land Ceiling and Urban Land Tax,  
Chepauk, Chennai-5.
3. The Assistant Commissioner (ULT)  
Ambattur Zone,  
No.5, Perumal Koil Sannathi Street,  
Poonamallee, Chennai- 56.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to issue appropriate orders/direction to the second and third respondents to regularise the plots bearing Nos.30,31,42 (part) 43,44,45,59 and 60, Natesan Nagar, Athipattu Village, Ambattur Taluk, comprised in S.No.151/1A, 151/1B, 378/2 and 379/1 of Athipattu Village, Ambattur Taluk, Thiruvallur District belonging to the petitioner in accordance with G.O.Ms.No.565, Revenue Department dated 26.09.2008 within a stipulated time fixed by this Hon'ble Court.

For Petitioner : Mr.Ralph V.Manohar

For Respondents: Mr.G.Rajesh,  
Government Advocate

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second and third respondents to give the benefit of G.O.Ms.No.565, Revenue Department, dated 26.09.2008 to the petitioner, who is claiming benefit as an innocent purchaser.

2. The case of the petitioner is that he purchased the subject property through various sale deeds during the year 2003-2006. The further case of the petitioner is that when he applied for mutation of the revenue records, he was informed by the Tahsildar that the property is a subject matter of acquisition under Tamil Nadu Urban Land Ceiling and Regulation Act, 1978. The petitioner made a representation to the third respondent to extend the benefit under G.O.Ms.No.565, dated 26.09.2008 by considering the petitioner as an innocent purchaser.

3. Mr.G.Rajesh, learned Government Advocate, appearing on behalf of the respondents 1 and 2 submitted that the 3<sup>rd</sup> respondent has already given a report dated 11.03.2019 to the second respondent and in turn the second respondent has also forwarded the report to the first respondent on 14.11.2019. The learned counsel further submitted that the files are now pending before the first respondent and the Government Order will be passed within a reasonable time.

4. Heard Mr.Ralph V.Manohar, learned counsel for the petitioner and Mr.G.Rajesh, learned Government appearing on behalf of the respondents 1 and 2.

5. Taking into consideration the facts and circumstances of the case and also the fact that the report of the second and third respondents have already been placed before the first respondent, there shall be a direction to the first respondent to pass orders strictly in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,  
Revenue Department,  
Secretariat, Chennai-9.
2. The Commissioner,  
Urban Land Ceiling and Urban Land Tax,  
Chepauk, Chennai-5.
3. The Assistant Commissioner (ULT)  
Ambattur Zone,  
No.5, Perumal Koil Sannathi Street,  
Poonamallee, Chennai- 56.

+2cc to M/s.Ralph V.Manohar, Advocate, Sr.No. 33163

W.P.No.14016 of 2020

MTI (CO)  
RMP (10/11/2020)



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