

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.15059 of 2020
and
WMP. No.18768 of 2020

1. A.G.Rajalakshmi

2. A.G.Dhanalakshmi

... Petitioners

Vs.

1. The Special Commissioner/
Land Reforms Commissioner,
Urban Land Ceiling and Urban Land Tax,,
Chepauk, Chennai-5.

2. the Principal Secretary/
Commissioner,
Urban Land Ceiling and Urban Land Tax,,
Chepauk, Chennai-5.

3. The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,,
Poonamallee, Chennai-56.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondent to pass orders on the petitioner's representation for regularization of 2400 sq.ft. Of land in Plot No.111, Murugan Sulochana Street, Golden George Nagar, Annex-1, Mugappair Village, under the Innocent Buyer Scheme as per G.O.Ms.No.565, dated 26.09.2008.

For Petitioner : Mr.J.Srinivasa Mohan

For Respondent : 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 respondents to pass orders on the representation made by the petitioners wherein the petitioners

are seeking to regularize the purchase of the subject property under the 'Innocent Buyers Scheme' covered under G.O.Ms.No.565, dated 26.09.2008.

2. The case of the petitioners is that they are the owners of the subject property and their title over the property has been confirmed by a judgment and decree passed by the competent Civil Court. The further case of the petitioners is that the subject property was covered under the Land Ceiling Act, which got repealed with effect from 06.06.1999. The petitioners made a representation to the respondents seeking for the benefit under G.O.Ms.No.565, dated 26.09.2008. This representation was made on 14.09.2020. Since the same was not acted upon, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.J.Srinivasa Mohan, learned counsel for the petitioner and Mr.G.Rajesh, learned Government Advocate appearing on behalf of the respondents.

4. The learned Government Advocate, on instructions, submitted that the third respondent has fixed a date for enquiry on 06.11.2020 at 11.30 AM. The learned counsel submitted that the petitioner can be present for the enquiry along with all the relevant documents.

5. The learned counsel for the petitioner submitted that after the third respondent conducts the enquiry, some time limit must be fixed by this Court by giving appropriate directions to the second respondent and also to the Revenue Department to pass appropriate orders consequent upon the files placed before them after the conclusion of the enquiry by the third respondent.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the third respondent has already called the petitioner for an enquiry, there shall be a direction to the third respondent to complete the enquiry and pass appropriate orders and place the file before the second respondent within a period of six weeks from the date of receipt of a copy of this order. The second respondent shall consider the records and pass appropriate orders within a period of four weeks, thereafter. The entire files shall thereafter be placed before the Secretary to Government, Revenue Department. The Government shall consider the entire files and pass appropriate orders in line with G.O.Ms.No.565, dated 26.09.2008, within a period of eight weeks, thereafter.

7. This writ petition is disposed of with the above directions. Consequently, connected miscellaneous petition is also closed. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

rli

To

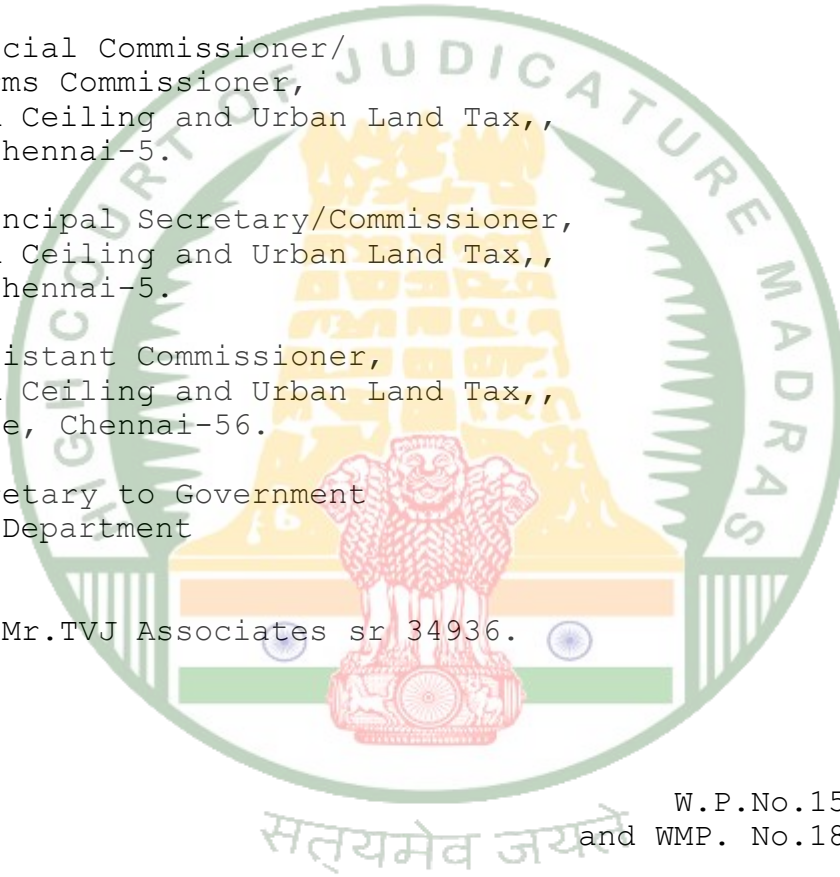
1. The Special Commissioner/
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Chepauk, Chennai-5.

2. The Principal Secretary/Commissioner,
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Chepauk, Chennai-5.

3. The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,,
Poonamallee, Chennai-56.

4.The Secretary to Government
Revenue Department
Chennai

+2 Ccs to Mr.TVJ Associates sr 34936.



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SP(06/11/2020)

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