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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.5807 of 2021

and

W.M.P. No. 6400 of 2021

S.Rajendran,
S/o. Soundaram Rajendran

... Petitioner

Vs.

1. The State of Tamil Nadu,
rep. By its Additional Chief
Secretary,
Revenue Department,
Fort St. George, Chennai-600 009.

2. The Principal Secretary,
Commissionerate of Urban Land
Ceiling and Urban Land Tax,
Chepauk, Chennai-600 005.

3. Assistant Commissioner,
(Competent Authority),
Urban Land Tax, Karuneegar Street,
Adambakkam, Chennai-600 088.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd Respondent to comply with the order passed by the 1st respondent Additional Chief Secretary to the Government in Letter No.5118/ULC-I(2)/2020-1, dated 19.02.2020 and consequently issue regularise the schedule mentioned property belonging to the petitioner herein.

For Petitioner : Mr.Nithyaesh Natraj
for Nithyaesh and Vaibhav

For Respondents: Mr.Yogesh Kannadasan,
Government Advocate



O R D E R

(The case has been heard through video conference)

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The Writ Petition has been filed seeking a direction directing the 3rd respondent to comply with the order passed by the 1st respondent and regularise the schedule mentioned property belonging to the petitioner.

2. The grievance of the petitioner is that, he has purchased the property to an extent of 2489 sq.ft. in Survey No.105/2 situated at No.123, Madipakkam Village, Saidapet Taluk by a registered sale deed in the year 1999. Thereafter, he came to know that the land was subject to Tamil Nadu Urban Land (Ceiling and Regulation) Act. Immediately, he has approached the 1st and 2nd respondents to regularise the same under G.O.Ms.No.565, Revenue Department, dated 26.09.2008. Considering his application, the 1st respondent has directed the 2nd respondent vide letter No.5118/ULC-1(2)/2020-1, dated 19.02.2020 directed the 2nd respondent to pass necessary orders to regularise the land under the above said G.O. on payment of Rs.57,800/- towards regularisation charges. Thereafter, the petitioner had approached the 3rd respondent and requested him to issue necessary challan enabling him to pay the amount. But, his request was not considered and so far, the 2nd and 3rd respondents did not pass any orders as per the direction issued by the 1st respondent dated 19.02.2020. Hence, the present writ petition has been filed by the petitioner.

3. I have considered the rival submissions made by learned counsel appearing for petitioner as well as learned Government Advocate appearing for respondents and perused the records.

4. On perusal of records, it could be seen that, the 1st respondent as early as on 19.02.2020 has directed the 2nd respondent to pass necessary orders to regularise the petitioner's land on receipt of Rs.57,800/- towards regularisation charges. But, according to the learned counsel appearing for petitioner, so far, they are not complying with the order passed by the 1st respondent and no further proceedings has been initiated. The learned Government Advocate appearing for respondents would submit that the 2nd respondent may be directed to pass suitable orders within a time frame to be fixed by this court.

5. Considering the fact that, already, the 1st respondent had passed an order directing the 2nd respondent to pass necessary orders to regularise the petitioner's land, the 2nd respondent is directed to pass suitable orders within a period



of four weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

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-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The Additional Chief
Secretary,
State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai-600 009.
2. The Principal Secretary,
Commissionerate of Urban Land
Ceiling and Urban Land Tax,
Chepauk, Chennai-600 005.
3. Assistant Commissioner,
(Competent Authority),
Urban Land Tax and Ceiling Alandur
Urban Land Tax, Karuneegar Street,
Adambakkam, Chennai-600 088.

+1 CC to The Government Pleader sr 30411.
+1 CC to M/s. Nithyaesh and Vaibhav, sr 29988.

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and
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SR II (CO)
SP(20/07/2021)