



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.8294 of 2021

1. Mr.V.Varadharajan
S/o. Vadivel

2. Mrs. V.Shanthi
W/o. V.Varadharajan

... Petitioners

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2. The Commissioner,
Urban Land Tax and Urban
Land Ceiling, Ezhilagam,
Chepauk, Chennai - 600 005.

3. The Assistant Commissioner,
Urban Land Tax,
No.153, Karunakar Street,
Kuntrathur, Alandur,
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 to the 3rd respondent to consider the application of the petitioners dated 26.04.2019 and the subsequent representation of the petitioners dated 28.12.2020 and direct the respondents to regularise and receive payments from the petitioners as per the G.O.No.565, dated 26.09.2008 passed by the first respondent under the Innocent Buyers Category for the land measuring an extent of 851 Sq. Ft comprised in Survey No.5/1 part (as per patta Survey No.5/1B), Valsaravakkam village, Saidapet Taluk, (presently Ambattur Taluk, Thiruvallur District).

For Petitioners : Mr.P.Prakash Paul

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate



O R D E R

(The case has been heard through video conference)

The Writ Petition has been filed seeking a direction to direct the 3rd respondent to consider the application of the petitioners dated 26.04.2019 and the subsequent representation of the petitioners dated 28.12.2020 and direct the respondents to regularize and receive payments from the petitioners as per the G.O.No.565, dated 26.09.2008 passed by the first respondent under the Innocent Buyers Category for the land measuring to an extent of 851 Sq. Ft comprised in Survey No.5/1 part (as per patta Survey No.5/1B), Valsaravakkam Village, Saidapet Taluk, (presently Ambattur Taluk, Thiruvallur District).

2. The grievance of the petitioner is that, the petitioner is a innocent purchaser of the property to an extent of 851 Sq.Ft. comprised in S.No.5/1 part (as per patta S.No.5/1B), Valsaravakkam Village, Saidapet Taluk (Now Ambattur Taluk, Thiruvallur District), which subjected under Urban Land Ceiling proceedings. Therefore, he has made a representation to the 1st and 2nd respondents seeking to regularize the same as per G.O.Ms.No.565 (Revenue Department) dated 26.09.2008. Based on the representation, the 1st respondent also directed the second respondent to conduct enquiry and to obtain the required documents by an order dated 28.05.2019. Thereafter, the 3rd respondent directed the petitioner to appear for enquiry and to produce all the documents on 10.11.2020. On receipt of the same, the petitioner had appeared before the 3rd respondent and submitted all the required documents. Thereafter, no order has been passed on it. Hence, the present writ petition has been filed by the petitioner.

3. The learned Counsel appearing for the petitioner would submit that the petitioner has submitted all the required documents for regularizing the property, but his application is pending for a long time. Hence, the 1st respondent may be directed to pass suitable orders on merits within a time frame to be fixed by this Court.

4. I have heard and considered rival submissions of learned Counsel appearing for the petitioner and learned Government Advocate appearing for respondents and perused the records.

5. Considering the limited prayer in the Writ Petition, without going into merits of the case, the 1st respondent is directed to consider the petitioner's application seeking to regularize his property under G.O.Ms.No.565 (Revenue Department) dated 29.06.2008 and to pass suitable orders on merits in accordance with law after hearing the petitioner within a period of twelve weeks from the date of receipt of a copy of this



order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Ksa-2

To

1. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Urban Land Tax and Urban
Land Ceiling, Ezhilagam,
Chepauk, Chennai - 600 005.
3. The Assistant Commissioner,
Urban Land Tax,
No.153, Karunakar Street,
Kuntrathur, Alandur,
Chennai - 600 088

+2cc to Mr.P.Prakash Paul, Advocate, S.R.No. 30073

+1cc to the Government Pleader, S.R.No. 30284

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UM(CO)
GN(19/07/2021)