

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.Nos.9988 & 9993 of 2021

S.Pitchai Muthu,
S/o. N.R.Soosai

... Petitioner in
W.P. No.9988/2021

N.Amudha,
W/o. K.Narayanan

... Petitioner in
W.P.No.9993 of 2021

Versus

1. The State of Tamil Nadu,
rep. By its Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George, Chennai-9.

2. The Special Commissioner,
Commissionerate for Urban Land
Ceiling and Urban Land Tax,
Chepauk, Chennai-5.

3. The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,
Tambaram Zone, No.153, Karuneegar Street,
Adambakkam, Chennai-88.

... Respondents in
W.P.No.9988 of 2021

1. The State of Tamil Nadu,
rep. By its Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George, Chennai-9.

2. The Special Commissioner,
Commissionerate for Urban Land
Ceiling and Urban Land Tax,
Chepauk, Chennai-5.

3. The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,
Madhavaram Zone, No.2, Vivek Nagar,
Kolathur, Chennai-99.

.. Respondents in
W.P. No.9993/2021

PRAYER in W.P.No.9988 of 2021 : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pass orders on the application submitted by the petitioner dated 02.12.2009 in the prescribed format and the subsequent enquiry proceedings issued by the 3rd respondent in Na.Ka.No.A/1687/2009 dated 11.09.2018 to the petitioner to regularise the land in Plot Nos.18 and 19 of an extent of 3600 sq.ft. in S.No.264, Anakaputhur Village, Pallavaram Taluk, Chengalpet District under innocent purchaser category in terms of Government Orders issued in G.O.Ms.No.649, Revenue Department, dated 29.07.1998 and G.O.Ms.No.565, Revenue [ULC-1(2)] Department dated 26.09.2008 within a time frame to be fixed by this Hon'ble Court.

PRAYER in W.P.No.9993 of 2021 : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pass orders on the application submitted by the petitioner dated 26.03.2015 in the prescribed format and the subsequent enquiry proceedings issued by the 3rd respondent in Na.Ka.No.476/2016/E dated 24.11.2016 to the petitioner to regularise the land in Plot No.88 of an extent of 2557.5 sq.ft. in S.No.45/1, Mathur Village, Ward No.19, Chennai City Corporation, (Earlier Puzhal Panchayat Union, Ambattur Taluk, Thiruvallur District) presently Madhavaram Taluk, Chennai District under innocent purchaser category in terms of Government Orders issued in G.O.Ms.No.649, Revenue Department, dated 29.07.1998 and G.O.Ms.No.565, Revenue [ULC-1(2)] Department dated 26.09.2008 within a time frame to be fixed by this Hon'ble Court.

For Petitioners : Mr.G.Sankaran for
in both W.P.s Mr.G.R.Ramesh Prabbhu

For Respondents : Mr.S.N.Parthasarathi
in both W.P.s Govt. Advocate

C O M M O N O R D E R

(The case has been heard through video conference)

These Writ Petitions have been filed seeking a direction directing the respondents herein to pass orders on the applications submitted by the petitioner dated 02.12.2009 and 26.03.2015 respectively and to regularise their lands under innocent purchaser category in terms of G.O. Ms.No.649, and 565, Revenue [ULC-1(2)] Department dated 29.07.1998 and 26.09.1998 respectively within a time frame to be fixed by this Court.

2. The grievance of the petitioners is that, they have filed their applications seeking for regularisation under the above said G.O.s before the respondents, but so far, their applications were not considered. Hence, the petitioners have filed the present Writ Petitions.

3. Today, when the matters taken up for hearing, the learned Government Advocate appearing for respondents would submit that after enquiry, the petitioners applications have been forwarded by the 2nd and 3rd respondents to the 1st respondent on 27.02.2021 and the same are still pending.

4. Recording the submissions made by the learned Government Pleader, and considering the limited prayer sought in these Writ Petitions, without going into the merits of the case, and after enquiry, the 2nd and 3rd respondents have already sent the proposals to the 1st respondent, the 1st respondent is directed to consider the petitioners applications and pass suitable orders on merits in accordance with law after giving opportunity to the petitioners within a period of twelve weeks from the date of receipt of copy of this order. Accordingly, these Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS-I)

//True copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Revenue and Disaster Management Department,
Secretariat, Fort St. George, Chennai-9.
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Commissionerate for Urban Land
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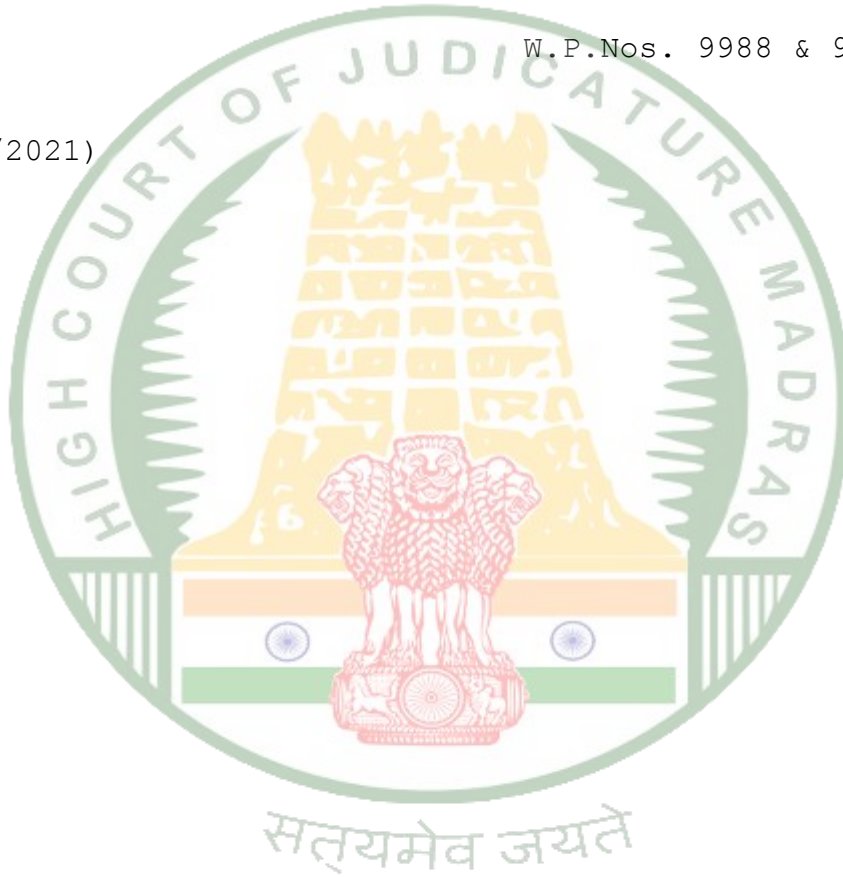
+10cc to Mr.G.Sankaran, Advocate SR.No.24872, 24873

+1cc to Mr.S.Rajendran, Advocate SR.No.24835

+2cc to Government Pleader SR.No.25326, 25327

W.P.Nos. 9988 & 9993 of 2021

PPA(CO)
GMY(18/06/2021)



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