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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM

THE HON'BLE Mr. JUSTICE C.V.KARTHIKEYAN

W.P.No. 10507 of 2021

N.Kothadevi

... Petitioner

Vs.

- 1.The Secretary,
Revenue Department,
Secretariat, St. George Fort,
Chennai - 600 009.
- 2.The Commissioner,
O/o. Urban Land Ceiling and Urban Land Tax,
Land Reforms Department,
Chepauk, Chennai - 5.
- 3.The Deputy Commissioner,
O/o. Urban Land Ceiling and Urban Land Tax,
No.169, Sannathi Street, Alandur,
Chennai - 88.
- 4.The Tahsildar,
Sholinganallur,
South Chennai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 05.03.2021 made by the petitioner herein to remove the land ceiling and issue patta for the landed property at S.No.100/6A1A1A, Okkiyam Thoraipakkam Village, Sholinganallur Taluk, South Chennai District, to the extent of 4450 sq.fts.

For Petitioner .. Mr.V.Pandiyan

For Respondents .. Mr.Yogesh Kannadasan
(Govt.Advocate)



ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the 2nd respondent to consider the representation dated 05.03.2021 given by the petitioner herein to remove the land ceiling and issue patta for the property at S.No.100/6A1A1A, Okkiyam Thoraipakkam Village, Sholinganallur Taluk, South Chennai District, measuring to an extent of 4450 sq.fts.

2.It is the claim of the petitioner that she has been living with her family at that particular address and excess vacant land over and above the ceiling limit has been fixed under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978, had been acquisitioned from the land owners by the Tamil Nadu Government.

3.It is claimed that she had also filed W.P.No.6890 of 2005 and an order was issued on 05.09.2006, directing the authorities to change the revenue documents in her name. Thereafter, the petitioner claimed that she has been running from pillar to post for the past 15 years seeking patta in her name. Finally, on 05.03.2021 she gave a representation.

4.The said representation will now have to be considered by the 2nd respondent namely, the Commissioner, Urban Land Ceiling and Urban Land Tax, Land Reforms Department, Chepauk, Chennai -5.

5.Heard Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents, who stated that it would only be appropriate that the officials are directed to pass necessary orders on the representation given by the petitioner herein.

6.Accordingly, a direction is therefore issued to the 2nd respondent to issue notice to the petitioner herein and examine the records and thereafter, pass a considered order on the basis of the representation dated 05.03.2021 with respect to the land of the petitioner in S.No.100/6A1A1A in Okkiyam Thoraipakkam Village, Sholinganallur Taluk, South Chennai District, which the petitioner claims is under her possession and measures to an extent of 4450 sq.ft., within a period of 12 weeks from the date of receipt of copy of this order. It is made clear that principles of natural justice should be followed and the petitioner must be put on notice and also an opportunity to be granted to hear her and consider her representation, if any made in writing.



7. With the above observations, the Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

smv
To,

1. The Secretary,
Revenue Department,
Secretariat, St. George Fort,
Chennai - 600 009.
2. The Commissioner,
O/o. Urban Land Ceiling and Urban Land Tax,
Land Reforms Department,
Chepauk, Chennai - 5.
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Chennai - 88.
4. The Tahsildar,
Sholinganallur,
South Chennai District.

+1cc to Mr.V.Janarthanan, Advocate Sr.37572
+1cc to the Government Pleader Sr.37719

W.P.No.10507 of 2021

pl[co]
srg 23/08/2021