

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.13941 of 2021

and

W.M.P. No. 14812 of 2021

M/s. Vijay Industries,
rep. By its Proprietor
Mr.S.Vijay Baskar

... Petitioner

Vs.

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

2. The Principle Commissioner and
Commissioner (ULC & ULT),
Chepauk,
Chennai-600 005.

3. The Assistant Commissioner of ULC
and ULT (Tambaram),
Karnikar Street, Alandur,
Chennai.

4. The District Collector,
Collectorte, Chengalpet District,
Chengalpet.

5. The Tahsildar,
Vandalur,
Chengalpattu Taluk,
Chengalpattu.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the 1st respondent to issue order for receiving the payment of Rs.6,51,75,000/- (Rupees six crores fifty one lakh seventy five thousand only) from the petitioner as per the G.O. (Ms.) Revenue No.235, dated 05.05.2008 and execute the sale deed in favour of the petitioner in respect of the land measuring about 5500 sq.mts. situate in S.No.199/3A of Vandalur Village, Chengalpet District, formerly Chengai MGR District.

For Petitioner : Mr.A.Veerasamy
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 directing the 1st respondent to issue order for receiving the payment of Rs.6,51,75,000/- from the petitioner as per G.O. (Ms.) Revenue, No.235, dated 05.05.2008 and execute the sale deed in favour of petitioner in respect of land in Survey No.199/3A, situate at Vandalur Village, Chengalpet District.

2. The grievance of the petitioner is that, earlier, the Government vide G.O. Ms. No.235, Revenue Department, dated 05.05.2008, has allotted an extent of 5500 sq. mts. of land in Survey No.199/3A, new Survey No.199/3A2, situate Vandalur Village, Chengalpet District, which is an surplus vacant land declared under the Urban Land Ceiling Act, in favour of petitioner. Thereafter, original landowner has challenged the urban land ceiling proceedings in W.P. No. 1725 of 2006 and the same was pending from the year 2006. Hence, the respondents did not receive the amount and make the allotment. Thereafter, the Writ Petition was dismissed for default on 09.04.2018 and thereafter, no steps have been taken to restore the Writ Petition. Subsequently, the petitioner has sent a representation to the respondents seeking to receive the amount and give allotment in the year 2018. But, so far, his representation was not considered and no order has been passed on it. Hence, the present writ petition has been filed by the petitioner.

3. Mr. A.Veerasamy, learned counsel appearing for petitioner would submit that, since the allotment was made in the year 2008, the petitioner is always ready and willing to pay the amount and get the property. But, the 1st respondent, without any reason whatsoever, did not pass any order and his representation is still pending. The petitioner has submitted a representation on 19.11.2020, followed by, another representation was made on 10.01.2021. Hence, the 1st respondent may be directed to consider the same and pass suitable orders on merits.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 1st respondent is directed to consider the petitioner's representation 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. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp
To

1. The Secretary to the Government
of Tamil Nadu,
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Chennai-600 009.
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5. The Tahsildar,
Vandalur,
Chengalpattu Taluk, Chengalpattu.

+1 cc to Government Pleader Sr.No. 31959
+1cc to Mr.M.Narayanasamy, Advocate SR.No. 31264

W.P.No.13941 of 2021

A.SK(12.07.2021)

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