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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.25134 OF 2021

D.Sivaji

... Petitioner

.Vs.

1. The Principal Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The Special Commissioner,
Land Reforms Commissioner,
Chepauk, Chennai - 600 005.
3. The Principal Commissioner/Secretary,
Urban Land Ceiling & Tax,
Chepauk, Chennai - 600 005.
4. The Assistant Commissioner,
Urban Land Ceiling & Urban Land Tax,
Madhavaram Zone-II, Vivek Nagar,
Kolathur, Chennai - 600 099.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 2 to 4 to consider the petitioner's representation dated 15.10.2020 so as to pass an appropriate order of regularization of the land by strictly complying with the provision of G.O Ms.No.565 Revenue Department dated 26.09.2008 and also under the verdict of covered judgment dated under W.P.No.7777 of 2019 dated 20.03.2019 which is also subsequently followed by the Hon'ble High Court of Madras under W.P No.8309 of 2019 dated 16.04.2019, enabling the petitioner to receive the Revenue Patta, for the land bearing Plot No.9 admeasuring 2522 sq.ft. situated at Survey No.1239/1 of Ramachandran Nagar, Ponniyammanmedu, Madhavaram Village and Taluk presently under Chennai Corporation Limit, prescribed by this Court.



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For Petitioner : Mr.G.Thangavel

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents 2 to 4 to consider the petitioner's representation dated 15.10.2020 so as to pass an appropriate order of regularization of the land by strictly complying with the provision of G.O Ms.No.565 Revenue Department dated 20.09.2008 and also under the verdict of covered judgment dated under W.P.No.7777 of 2019 dated 20.03.2019 which is also subsequently followed by the Hon'ble High Court of Madras under W.P No.8309 of 2019 dated 16.04.2019, enabling the petitioner to receive the Revenue Patta, for the land bearing Plot No.9 admeasuring 2522 sq.ft. situated at Survey No.1239/1 of Ramachandran Nagar, Ponniyammanmedu, Madhavaram Village and Taluk presently under Chennai Corporation Limit, prescribed by this Court.

2. Heard, Mr.G.Thangavel, learned counsel appearing for the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing for the respondents.

3. The petitioner derived title over the subject property by way of settlement deed executed by his father dated 24.07.2019 registered vide document No.4834 of 2019. The said property was purchased by his father by a registered sale deed dated 31.08.1987 vide document No.3075 of 1987. However, the subject land was already acquired under the Urban Land Ceiling Act and as such, the petitioner submitted an application before the third respondent to consider the regularization of the sale deed purchased by his father, on the basis of G.O.Ms.No.565, Revenue Department, dated 26.09.2008 and subsequent G.Os..

4. Considering the above, the third respondent is directed to conduct enquiry on the representation of the petitioner dated 15.10.2020, after giving an opportunity of hearing to the petitioner and pass orders on merits and in accordance with law, on the basis of G.O.Ns.565, Revenue Department, dated 26.09.2008 and subsequent G.Os, within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above direction, the writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.
2. The Special Commissioner,
Land Reforms Commissioner,
Chepauk, Chennai - 600 005.
3. The Principal Commissioner/Secretary,
Urban Land Ceiling & Tax,
Chepauk, Chennai - 600 005.
4. The Assistant Commissioner,
Urban Land Ceiling & Urban Land Tax,
Madhavaram Zone-II, Vivek Nagar,
Kolathur, Chennai - 600 099.

+1cc to Mr.G.Thangavel, Advocate, S.R.No.60776
+1cc to the Government Pleader, S.R.No.61523

W.P.No.25134 of 2021

PA(CO)
PBS/06/01/2022