



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.24368 and 24370 of 2021

B.Markcus
V.Francis

...Petitioner in W.P.No.24368 of 2021
...Petitioner in W.P.No.24370 of 2021

Vs

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Secretary,
Department of Revenue,
Secretariat,
Chennai - 600 009.
3. The Principal Commissioner of Land (Admin)
Chepauk,
Chennai - 600 005.
4. The Assistant Commissioner,
Land Tax, Tambaram,
No.153, Karuneeakar Street,
Office at Adambakkam,
Chennai - 600 088.
5. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.
6. The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai - 600 045.

... Respondents in both W.Ps

Prayer in W.P.No.24368 of 2021: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 to 4 herein to pass appropriate order in compliance with the provisions of G.O.No.565 Revenue Department, dated 26.09.2008, in order to



regularize and approve the layout of the land at "Jaya Nagar" situated at No.128, Anagaputhur Village under S.No.264 bearing plot No.47 ad-measuring 1800 sq.ft of Pammal Sub-Registrar, Saidapet Taluk (previously at Chengai Anna District) presently Kancheepuram District, within the stipulated period prescribed by this Court, with reference to the covered judgment of this Court dated 24.08.2018, vide W.P.No.20758 of 2018.

Prayer in W.P.No.24370 of 2021: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent herein to pass appropriate order in compliance with the provisions of G.O.No.565 Revenue Department, dated 26.09.2008, in order to regularize and approve the layout of the land at "Jaya Nagar" situated at No.128, Anagaputhur Village under S.No.264 bearing plot No.46 ad-measuring 1800 sq.ft of Pammal Sub-Registrar, Saidapet Taluk (previously at Chengai Anna District) presently Kancheepuram District, within the stipulated period prescribed by this Court, with reference to the covered judgment of this Court dated 24.08.2018, vide W.P.No.20758 of 2018.

For Petitioner
in both W.Ps : Mr.G.Thangavel

For Respondents
in both W.Ps : Mr.A.Selvendran
Special Government Pleader

C O M M O N O R D E R

Both the Writ Petitions have been filed to issue a Writ of Mandamus, directing the respondents 2 to 4 herein to pass appropriate order in compliance with the provisions of G.O.Ms.No.565, Revenue Department, dated 26.09.2008, in order to regularize and approve the layout of the land at "Jaya Nagar" situated at No.128, Anagaputhur Village under S.No.264 bearing plot Nos,46 and 47 ad-measuring 1800 sq.ft each of Pammal Sub-Registrar, Saidapet Taluk (previously at Chengai Anna District), presently Kancheepuram District, within the stipulated period prescribed by this Court, with reference to the covered judgment of this Court dated 24.08.2018, vide W.P.No.20758 of 2018.

2. Both the petitioners have purchased their respective properties by registered sale deeds dated 12.06.1996, vide document Nos.5362 and 5363 of 1996. When the petitioners intended to construct house in their respective plots, they applied for necessary approval. However, the said house plots were already acquired and as such, they want to regularize the same under the "innocent purchasers category" as per



G.O.Ms.No.565, Revenue Department, dated 26.09.2008. On receipt of their applications, the fourth respondents issued notice to the petitioners to produce some documents for regularization of their sale deeds.

WEB COPY

3. Considering the above facts and circumstances, the fourth respondent is directed to complete the enquiry and pass orders to regularize the purchase of the petitioners' land, in view of G.O.Ms.No.565, Revenue Department, dated 26.09.2008 and subsequent Government Order in G.O.Ms.No.63, Revenue Department, dated 27.01.2020, after giving an opportunity of hearing to the petitioners and counter parties if any, and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above direction, both the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.
2. The Secretary,
Department of Revenue,
Secretariat,
Chennai - 600 009.
3. The Principal Commissioner of Land (Admin)
Chepauk,
Chennai - 600 005.
4. The Assistant Commissioner,
Land Tax, Tambaram,
No.153, Karuneeakar Street,
Office at Adambakkam,
Chennai - 600 088.



5. The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.

6. The Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai - 600 045.

+1cc to Mr.G.Thangavel, Advocate, S.R.No.58680

+1cc to the Government Pleader, S.R.No.59482

+1cc to Mr.G.Thangavel, Advocate, S.R.No.58596 (22/12/2021)

W.P.Nos.24368 and 24370 of 2021

RSP[co]
NSK 08/12/2021