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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24932 of 2021

Thilagavathi

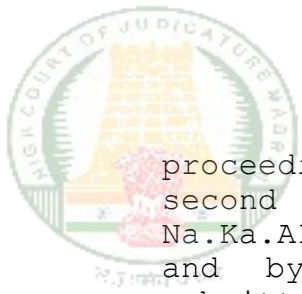
... Petitioner

-Vs-

1. Government of Tamil Nadu,
Represented by its Secretary,
Revenue and Disaster Management Department,
ULC Wing, ULC (1(2) Section,
Secretariat, Chennai - 600 009.
2. The Principal Secretary / Commissioner
of Urban Land Ceiling and Urban Land Tax,
Chepauk, Chennai - 600 005.
3. The District Collector,
Chennai District,
Office at Singaravelar Maligai,
Rajaji Salai,
Chennai - 600 001.
4. The Assistant Commissioner,
Urban Land Tax,
Ambattur Zone,
Ambattur,
Chennai.
5. The Revenue Divisional Officer,
North Chennai Division,
Tondiarpet,
Chennai District.
6. The Tahsildar,
Madhavaram Taluk,
Madhavaram,
Chennai.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 3, 5 and 6th respondents herein to issue patta to the petitioner in respect of the land comprised in Survey No.68/2 (part) bearing Plot No.51-A, measuring an extent of 1200 sq.ft in Puthagaram Village, Ambattur Zone in the light of (i) Government Letter No.39147/ULC-1 (2)/2019-1 dated 18.11.2019 issued by the first respondent and (ii) the



proceedings in Na.Ka.No.7772/2019 (J3) dated 24.12.2019 of the second respondent and (iii) proceedings bearing Na.Ka.A1/1740/2020 dated 01.02.2021 of the fifth respondent, and by considering the representation dated 29.09.2021 submitted by the petitioner to the sixth respondent within a specified time limit that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Elumalai

For Respondents: Mr.Yogesh Kannadasan
Special Government Pleader.

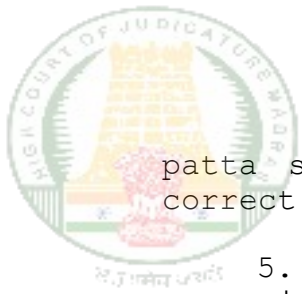
ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the 3, 5 and 6th respondents herein to issue patta to the petitioner in respect of the land comprised in Survey No.68/2 (part) bearing Plot No.51-A, measuring an extent of 1200 sq.ft in Puthagaram Village, Ambattur Zone in the light of (i) Government Letter No.39147/ULC-1 (2)/2019-1 dated 18.11.2019 issued by the first respondent and (ii) the proceedings in Na.Ka.No.7772/2019 (J3) dated 24.12.2019 of the second respondent and (iii) proceedings bearing Na.Ka.A1/1740/2020 dated 01.02.2021 of the fifth respondent, and by considering the representation dated 29.09.2021 submitted by the petitioner to the sixth respondent within a specified time limit that may be stipulated by this Hon'ble Court.

2. Heard Mr.M.Elumalai, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the property comprised in Survey No.68/2 (part) bearing Plot No.51-A, measuring an extent of 1200 sq.ft in Puthagaram Village, Ambattur Zone, was purchased by the petitioner by the registered sale deed, dated 04.12.1998, registered vide Document No.4523 of 1998 from one Natarajan, power of attorney agent of one Ponnammal. However, the petitioner came to understand that the subject land is under the Land Ceiling Proceedings. Therefore, the petitioner represented to the Government to regularize her purchase under the "Innocent Buyers Scheme in Chennai Urban Agglomeration". Subsequently, the Government issued an order in G.O.(Ms).No.565, Revenue Department, dated 26.09.2008 to regularize the lands purchased by the petitioner under the scheme of "Innocent Buyers Scheme in Chennai Urban Agglomeration"

4. Considering the request of the petitioner, the first respondent issued a Letter dated 18.11.2019, directed that the



patta shall be issued in favour of the petitioner and the correct ownership in respect of the subject property.

5. On receipt of the same, the second respondent by its communication, dated 24.12.2019, directed to regularize the purchase of the petitioner. However, again the sixth respondent sought for a clarification by the communication, dated 20.04.2021, as to whether the patta can be issued in favour of the petitioner. The communication dated 01.02.2021 in Na.Ka.A1/1740/2020 on the file of the fifth respondent subsequently stated that, the Tahsildar can take a decision on its own and there is no need to send any proposal to the Collectorate for regularization under the Innocent Purchasers Scheme. In fact, the petitioner also paid requisite fees to regularize her purchase.

6. Considering the above, the sixth respondent is directed to issue patta to the petitioner in respect of the land comprised in Survey No.68/2 (part) bearing Plot No.51-A, measuring an extent of 1200 sq.ft in Puthagaram Village, Ambattur Zone in the light of the Letter issued by the first respondent, dated 18.11.2019 in Letter No.39147/ULC-1 (2)/2019-1, also by the proceedings in Na.Ka.No.7772/2019 (J3) dated 24.12.2019 issued by the second respondent and the proceedings bearing Na.Ka.A1/1740/2020 dated 01.02.2021 issued by the fifth respondent, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition stands allowed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

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To

1. The Secretary,
Government of Tamil Nadu,
Revenue and Disaster Management Department,
ULC Wing, ULC (1(2) Section,
Secretariat, Chennai - 600 009.
2. The Principal Secretary / Commissioner
of Urban Land Ceiling and Urban Land Tax,
Chepauk, Chennai - 600 005.



3. The District Collector,
Chennai District,
Office at Singaravelar Maligai,
Rajaji Salai,
Chennai - 600 001.

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4. The Assistant Commissioner,
Urban Land Tax,
Ambattur Zone,
Ambattur,
Chennai.

5. The Revenue Divisional Officer,
North Chennai Division,
Tondiarpet,
Chennai District.

6. The Tahsildar,
Madhavaram Taluk,
Madhavaram,
Chennai.

+1cc to Mr.M.Elumalai, Advocate SR.No.60246

+1cc to Government Pleader SR.No.60721

W.P.No.24932 of 2021

BP(CO)
GMY(13/12/2021)