



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.09.2021

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Coram:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.29386 of 2017

V. Dhanalakshmi

...Petitioner

Vs.

1. The District Collector,
NH - 205, Thiruvallur Collector Office, .
Thiruvallur District - 602 001.

2. District Revenue Officer,
Land Acquisition,
Outer Ring Road,
Koyambedu,
Chennai - 600 107

3.Revenue Divisional Officer,
5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai, Tamilnadu 600 040

4.The Tahsildar,
Outer Ring Road Project,
Avadi Municipality Building,
Near Railway Station, Avadi 600 054

5.The Revenue Tahsildar,
Avadi Municipality Building,
Near Railway Station, Avadi 600 054

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the fifth respondent to dispose of the petitioner's representation dated 09.09.2017 with regard to payment of property tax to the fifth respondent pertaining to land measuring an extent of 747.22 sq.ft. situated at Survey No.99 and as UTR Patta survey No.99/4, Arch Anthoniar Nagar Extension-II, situated at Plot No.106, Old



No.42, New No.38, Vellanur Village and Panchayat, Saidapet Taluk, Chengalpet District within Sub-Registration District of Poonamallee and Registration District, South Chennai.

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For Petitioner : Mr.David Tyagaraj

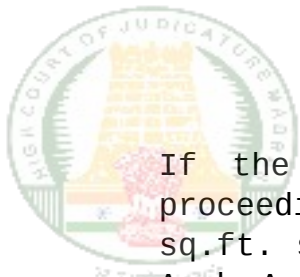
For Respondents : Mr.M.R.Gokul Krishnan,
Government Advocate

ORDER

This writ petition is filed to issue a Writ of mandamus directing the fifth respondent to dispose of the petitioner's representation dated 09.09.2017 with regard to payment of property tax to the fifth respondent pertaining to land measuring an extent of 747.22 sq.ft. situated at Survey No.99 and as UTR Patta survey No.99/4, Arch Anthoniar Nagar Extension-II, situated at Plot No.106, Old No.42, New No.38, Vellanur Village and Panchayat, Saidapet Taluk, Chengalpet District within Sub-Registration District of Poonamallee and Registration District, South Chennai.

2. The case of the petitioner is that the petitioner purchased the property to an extent of 2980 sq.ft. by the registered sale deed dated 04.11.1992. The petitioner is in peaceful possession and enjoyment of the same. The said property is under acquisition proceedings to implement the State Highways to an extent of 2152.78 sq.ft. comprised in survey No.99 and as UTR patta survey no.99/4, situated at plot No.106, Old.No.42 New No.38, Vellanur Village and Panchayat, Saidapet, Chengalpet District. The petitioner also challenged the acquisition proceedings in WP.No.6129 of 2017 in respect of the land to an extent of 2152.78 sq.ft. The same was dismissed today. However, the limited prayer sought for in this writ petition is that the balance extent of the land admeasuring 747.22 sq.ft. is not under any acquisition proceedings and the petitioner continues to have physical possession over the said land. Therefore, the petitioner had sent representation to permit her to pay property tax to the said extent of land.

3. Considering the above limited prayer, the fifth respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law.



If the fifth respondent finds that there is no acquisition proceedings in respect of the land measuring an extent of 747.22 sq.ft. situated at Survey No.99 and as UTR Patta survey No.99/4, Arch Anthoniar Nagar Extension-II, situated at Plot No.106, Old No.42, New No.38, Vellalur Village and Panchayat, Saidapet Taluk, Chengalpet District within Sub-Registration District of Poonamallee and Registration District, South Chennai, he is directed to permit the petitioner to pay property tax. If the said property is also under acquisition proceedings, the fifth respondent is directed to pay compensation under the new Act i.e. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

lok/drm

To

1. The District Collector,
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Thiruvallur District - 602 001.
2. District Revenue Officer,
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4. The Tahsildar,
Outer Ring Road Project,



Avadi Municipality Building,
Near Railway Station, Avadi 600 054

5.The Revenue Tahsildar,
Avadi Municipality Building,
Near Railway Station, Avadi 600 054

+2cc to M/s.Mr.David Tyagaraj, Advocate, S.R.No.457222
+1cc to the Government Pleader, S.R.No.45872

WP.No.29386 of 2017

PA(CO)
SB(06/10/2021)