



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.29696 of 2017

1.Dr.A.Sakunthala

2.A.Padmavathi

3.A.Sivasubramani

... Petitioners

-Vs-

1. The Secretary to Government of Tamilnadu,
Urban Land Tax Department,
Fort St.George,
Chennai 600 009

2. The Special Commissioner & Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai 600 005

3. The Assistant Commissioner,
Urban Land Tax & Competent Authority of Urban Land Ceiling,
Kunrathur(East),
No.153, Karunigar Street,
Adambakkam,
Chennai 600 088

4. The Thasildhar,
Kunrathur,
Chennai 600 069

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of declaration declaring all impugned proceedings of the Assistant Commissioner, Urban Land Tax and Competent Authority, Urban Land Ceiling Kunrathur, Chennai, the third respondent dated 07.05.1992 insofar as the land in survey No.123/1B and 123/2B to acquire the said land (with regard to 300 sq.mts in survey no.123/2B and 450 sq.mts in survey No.123/1B1 (totalling 750



sq.mts altogether)) as excess vacant land as abated as per section 4 of the Tamil Nadu Urban Land Ceiling and Regulation Repeal Act, 20 of 1999 and direct the competent authority/4th respondent Thasildar to issue patta to the above said land measuring 750 sq.mts.

For petitioners : Mr.D.Prabhu Mukunth Arunkumar
For Respondents : Mr.M.R.Gokul Krishnan,
Government Advocate

ORDER

The Writ Petition has been filed to issue a Writ of declaration declaring all impugned proceedings of the Assistant Commissioner, Urban Land Tax and Competent Authority, Urban Land Ceiling Kunrathur, Chennai, the third respondent dated 07.05.1992 insofar as the land in survey No.123/1B and 123/2B to acquire the said land (with regard to 300 sq.mts in survey no.123/2B and 450 sq.mts in survey No.123/1B1 (totalling 750 sq.mts altogether)) as excess vacant land as abated as per section 4 of the Tamil Nadu Urban Land Ceiling and Regulation Repeal Act, 20 of 1999 and direct the competent authority/4th respondent Thasildar to issue patta to the above said land measuring 750 sq.mts.

2.Though the petitioners have challenged the proceedings of the Assistant Commissioner, Urban Land Tax and Competent Authority, Urban Land Ceiling Kunrathur, Chennai, the third respondent dated 07.05.1992 insofar as the land in survey No.123/1B and 123/2B to acquire the said land (with regard to 300 sq.mts in survey no.123/2B and 450 sq.mts in survey No.123/1B1 (totalling 750 sq.mts altogether)), the learned counsel for the petitioners restricted the prayer to consider the petitioners' representation dated 20.09.2017, which was submitted to the respondents herein.

3.Considering the above submission, without going into the merits in this writ petition, the second respondent is directed to consider the representation dated 20.09.2017 of the petitioners herein and pass orders on merits and in accordance with law after giving opportunity of hearing to the petitioners, within a period of twelve weeks from the date of receipt of copy of this order. The petitioners are also at liberty to submit



further representation along with the required documents, if any.

3.

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

Sd/-

Assistant Registrar (CS)

// True Copy //

Sub Assistant Registrar

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To

1. The Secretary to Government of Tamilnadu,
Urban Land Tax Department,
Fort St.George,
Chennai 600 009
2. The Special Commissioner & Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai 600 005
3. The Assistant Commissioner,
Urban Land Tax & Competent Authority of Urban Land Ceiling,
Kunrathur(East),
No.153, Karunigar Street,
Adambakkam,
Chennai 600 088
4. The Thasildhar,
Kunrathur,
Chennai 600 069

+1CC to Mr.D.Prabhu Mukunth Arunkumar, Advocate, Sr.No.47168

+1CC to Mr.Government Pleader, Sr.No.46896

W.P.No.29696 of 2017

PVS (CO)

K.RK. (11.10.2021)