



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.NO.4947 OF 2022

N.Balasubramanian

...Petitioner

vs.

The Tahsildar,
Tambaram,
Tambaram Circle,
Chennai - 600 045.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to forthwith grant Patta for the property of the petitioner, measuring 2448 Sq.Ft. comprised in Survey No.13/1(Part), situated at Gowrivakkam Village, Velachery Road, Tambaram Taluk, then Kancheepuram District, now Chengalpattu District, by considering and passing orders on the Application of the petitioner dated 12.12.2019.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.M.Murali
Government Advocate

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus directing the respondent to grant Patta for the property of the petitioner, measuring 2448 Sq.Ft. comprised in Survey No.13/1(Part), situated at Gowrivakkam Village, Velachery Road, Tambaram Taluk, then Kancheepuram District, now Chengalpattu District, by considering and passing orders on the Application of the petitioner dated 12.12.2019.

2. The case of the petitioner is that the petitioner purchased a vacant house site bearing Plot No.19 in survey No.13 after Sub-Division Survey No.13/1(Part), ad-measuring an extent of 2448 sq.ft from one Lalitha by way of a sale deed dated 08.11.2006, vide Document No.9841 of 2006, situated at above said Village. Thereafter, the said land, purchased by the petitioner was declared as "excess land" under the provisions of



the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. Since the petitioner is an innocent purchaser of the said property, he made an application to the Principal Secretary/Commissioner of Urban Land Ceiling to regularise the said land. As per the G.O in G.O.Ms.No.565, Revenue Department, dated 26.09.2008, the Government of Tamil Nadu regularised the said purchase under the "Innocent Buyer's Scheme" on payment of Rs.56,850/-, dated 24.10.2019. Thereafter, based on the order of the Government and based on the payment made by the petitioner, the Principal Secretary/Commissioner of Urban Land Ceiling regularised the purchase of the said land by proceedings dated 05.12.2019 comprised in above said survey number. Thereafter, the petitioner has made an application to the respondent herein dated 12.12.2019 for issuance of Patta for the above said land. However, till date, no action has been taken by the respondent. While so, the petitioner has come up with the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondent to consider the petitioner's representation dated 12.12.2019 and pass orders on merits within a particular time frame fixed by this Court.

4. The learned Government Advocate appearing for respondent has no objection for said order being passed.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondent to consider the petitioner's representation dated 12.12.2019 and pass appropriate orders on merits and in accordance with law, after affording opportunity of hearing to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

7. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rap/nhs



To

The Tahsildar,
Tambaram,
Tambaram Circle,
Chennai - 600 045.

+1cc to Mr.K.Selvaraj, Advocate, Sr.No.15143

+1cc to the Government Pleader, Sr.No.15897

W.P.No.4947 of 2022

PL (CO)
RVM(07/04/2022)