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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10486 OF 2022

N.Sara Nathan

...Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Revenue and Disaster Management Department,
ULC [1 (2)] wing,
Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Special Commissioner,
Commissionerate for Urban Land Ceiling and
Urban Land Tax, Chepauk,
Chennai - 600 005.

3.The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,
Alanthur Zone,
Karuneegar Street,
Adambakkam,
Chennai - 600 088.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first and second respondents to consider petitioner's representation dated 20.12.2011 and regularize petitioner's land situated in No.154, Madipakkam Village, in the layout named as "Ram Nagar Layout" comprised in survey no.64/2 bearing plot number 1418, Western portion measuring 2400 Sq.ft under the Innocent Purchaser Scheme vide G.O.Ms.No.649 Revenue Department dated 29.07.1998 and G.O.Ms.No.565 Revenue Department dated 26.09.2008.

For petitioner : Mr.S.Patrick

For Respondents : Mr.V.Veluchamy
Additional Government Pleader



ORDER

The petitioner has filed this petition seeking direction to the first and second respondents to consider petitioner's representation dated 20.12.2011 and regularize petitioner's land situated in No.154, Madipakkam Village, in the layout named as "Ram Nagar Layout" comprised in survey no.64/2 bearing plot number 1418, Western portion measuring 2400 Sq.ft under the Innocent Purchaser Scheme vide G.O.Ms.No.649 Revenue Department dated 29.07.1998 and G.O.Ms.No.565 Revenue Department dated 26.09.2008.

2. Mr.V.Veluchamy, learned Additional Government Pleader takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner had purchased a land comprised in S.No.64/2 bearing plot no.1418, western portion measuring an extent of 2400 Sq.ft, situated at No.154, Madipakkam Village. Thereafter, petitioner came to know that the said land comes under the Urban Land Ceiling proceedings. Hence, the petitioner made a representation dated 20.12.2011 before respondents to regularize his purchased property under the innocent purchasers scheme. However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the respondents to consider the petitioner's representation dated 20.12.2011 within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 20.12.2011 will be considered by the respondents within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 20.12.2011 in terms of G.O.Ms.No.649 dated 29.07.1998 and G.O.Ms.No.565 dated 26.09.2008 and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.



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7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
The State of Tamil Nadu,
Revenue and Disaster Management Department,
ULC [1 (2)] wing,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Special Commissioner,
Commissionerate for Urban Land Ceiling and
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- 3.The Assistant Commissioner,
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Alanthur Zone,
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Adambakkam, Chennai - 600 088.

+lcc to Mr.S.Patrick, Advocate Sr.No.29563

W.P.No.10486 of 2022

PVS(CO)
RVM(19/05/2022)