



WEB COPY

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 32854 of 2013

K.Senthil

.. Petitioner

Versus

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

2. The Assistant Commissioner,
Urban Land Tax, Competent Authority,
Alandur,
Chennai - 600 088.

.. Respondents

PRAYER:Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, directing the 1st / 2nd respondent to regularise the petitioner's plot in Nanmangalam Village, Sholinganallur Post, Kanchipuram District comprised in Survey No. 296/2B2A bearing Plot No.1 having an extent of 1916 Sq.ft under innocent buyer category pursuant to G.O.Ms.No. 565, Urban Land Ceiling / Revenue department dated 26.09.2008 and to consider and dispose of the same on merits and in accordance with law within a fixed time frame.

For Petitioner : Mr. T.K.S.Bharathy Anandraj

For Respondents : Mr. M.Murali
Government Advocate

ORDER

The petitioner has filed this writ petition seeking to issue a Writ of Mandamus directing the respondent Nos. 1 and 2 to regularise the petitioner's plot in Nanmangalam Village, Sholinganallur Post, Kanchipuram District comprised in Survey No. 296/2B2A bearing Plot No.1 having an extent of 1916 square feet, in the light of G.O. Ms. No. 565, Urban Land Ceiling / Revenue department, dated 26.09.2008.



2. According to the petitioner, the petitioner's father Late.Kathirvel purchased a land in the name of the petitioner at the age of 17 years in Nanmangalam Village, Sholinganallur Post, Kanchipuram District comprised in Survey No. 296/2B2A bearing Plot No.1 having an extent of 1916 square feet and the sale deed was registered in favour of the Petitioner on 06.05.1989 vide document No.364 of 1989 before the Sub-Registrar Office, Pallavaram. Further, the petitioner states that from the date of purchase, the petitioner's father was in absolute and peaceful possession and enjoyment of the said property and after the demise of his father on 16.12.1994, the petitioner continued to be in possession of the said property. Later in the year 2006, the petitioner came to know that the said property was bought without the knowledge that the land comes under the Tamil Nady Urban Land Ceiling Act. Hence, the petitioner made an application before the 2nd respondent to regularise the ceiling to the land under the Tamil Nadu (Land Ceiling and Regularisation) Act 1987. Since no action has been taken by the Respondents, the Petitioner has come before this Court seeking writ of Mandamus.

3. The learned Special Government Pleader appearing for the Respondents fairly submitted the representation of the petitioner will be considered and orders will be passed within the time frame as fixed by this Court.

4. Heard the counsel for the Petitioner and the learned Special Government Pleader for the Respondents and perused the materials placed on record.

5. Considering the facts and circumstances of the case and considering the positive submission made on either side, this Court hereby directs the concerned Respondents to consider the representation and pass appropriate orders in the light of the G.O.Ms.No.565 Urban Land Ceiling/Revenue Department dated 26.09.2008 within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Special Commissioner and
Commissioner for Urban Land Ceiling
and Urban Land Tax,
Chepauk, Chennai - 600 005.
2. The Assistant Commissioner,
Urban Land Tax, Competent Authority,
Alandur,
Chennai - 600 088.

+1cc to Mr.T.K.S.Bharathy Anandraj, Advocate, S.R.No.8243

+1cc to the Government Pleader, S.R.No.8684

W.P. No. 32854 of 2013

PCH (CO)
SU (10/03/2022)