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W.P.No.6553 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6553 of 2013

Kanchanamala

... Petitioner

Vs

1.The Commissioner,
Land Reforms,
Chepauk, Chennai - 600 005.

2.The Director,
Urban Land Tax and Land Ceiling,
Chepauk, Chennai - 600 005.

3.The District Collector,
Collectorate,
Coimbatore - 600 018.

4.The Assistant Commissioner of Urban Land Tax,
Collectorate,
Coimbatore - 600 018.

5.The Tahsildhar,
Coimbatore South Taluk Office,
Coimbatore- 600 018.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents, particularly



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respondent Nos.2 and 4 to consider and initiate appropriate action on the representation of the petitioner dated 29.01.2013 seeking to re-survey the entire lands in the undivided S.No.300/1 and identify and demarcate 91 1/2 cents owned by the petitioner in that Survey Number and lay stones and make necessary amendments in the revenue records regarding S.No.300/1 of Komarapalayam Village, Coimbatore Taluk and District and correct the mistake caused in the revenue records while acquiring the land under Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 at the petitioner cost.

For Petitioner : Mr.K.Ashok Kumar

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking issuance of Writ of Mandamus directing the respondents, particularly respondent Nos.2 and 4 to consider and initiate appropriate action on the representation of the petitioner dated 29.01.2013 seeking to re-survey the entire lands in the undivided S.No.300/1 and identify and demarcate 91 1/2 cents owned by the petitioner in that Survey Number and lay stones and make necessary amendments in the revenue records regarding S.No.300/1 of Komarapalayam Village, Coimbatore Taluk and District and correct the



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mistake caused in the revenue records while acquiring the land under Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 at the petitioner cost.

2.The case of the petitioner is that the petitioner is the owner of the land in S.No.300/1 of Komarapalayam Village, Coimbatore Taluk and District to an extent of Ac.0.915 cents. The total extent of this Survey Number is Ac.1.07 cents, out of which, he owned Ac.0.915 cents. The balance Ac.0.155 cents was owned by one Nataraja Udaiyar, who is also the adjacent owner of S.No.301 to an extent of Ac.0.48 cents.

3.Earlier occasion, the urban land ceiling was initiated against Natarajan. After completion of acquisition, in stead of the said Natarajan land, they acquired the petitioner land, for which, the petitioner made a representation to survey the entire land vide representation dated 29.01.2013 and no order was passed till now. Hence, the present Writ Petition was filed.

4.Learned counsel for the petitioner states that though the initial representation made in the year 2013, thereafter the Writ Petition was filed,



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however, the Writ Petition was not disposed till date and it is before this Court. This Court permits the petitioner to file a fresh representation along with earlier representation and send a copy of representations along with order copy enabling the respondents to pass appropriate orders.

5.Learned counsel appearing for the respondents submits that if any representation is made and any earlier representation available, appropriate orders will be passed within the time frame as fixed by this Court.

6.Though, the prayer sought in this Writ Petition is different whereas counter filed by the respondents is completely different, they are justifying the urban land. However, this Writ Petition is filed to measure the property owned by the petitioner. Considering the facts and circumstances, the petitioner is directed to send a copy of the representation along with earlier representation and order copy enabling the 5th respondent and consider the same.

7.In view of the above, this Court is issuing direction to the 5th respondent by considering the representation to measure the property in the



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presence of 2nd and 4th respondents and pass appropriate orders within a period of twelve (12) weeks.

8. Accordingly, this Writ Petition is disposed of. No costs.

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Index: Yes/ No

Speaking Order/ Non Speaking Order

To

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M.DHANDAPANI, J.

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