



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.9776 of 2022

R.Vennila

...Petitioner

Vs.

1. The Secretary to the Government,
State of Tamil Nadu,
Revenue Department,
Secretariat, Fort, St.George,
Chennai 600 009.
2. The Special Commissioner,
Commissionerate for Urban Land Ceiling &
Urban Land Tax, Chepauk,
Chennai 600 005.
3. The Assistant Commissioner,
Urban Land Ceiling &
Urban Land Tax, Ponnammalli,
Ambattur Taluk,
Tiruvallur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pass orders on the application submitted by the petitioner dated 12.04.2019 and further, proceedings by the 3rd respondent in R.Dis.No.186/2019 dated 12.04.2019 issued to the petitioner to regularize the land in Plot No.10, measuring an extent of 2668 Sq.ft. comprised in Survey No.660 which is situated in Old No.61, New No.54, Korattur Village, Theeppanjamman Extension, Ambattur Taluk, Thiruvallur District, under the innocent purchaser category in terms of the government order issued in G.O.Ms.No.649 Revenue Department dated 29.07.1998 within a time frame as fixed by this Court.

For Petitioner : M/S.D.Babu Vardharajan

For Respondents : Mr.A.Anandan
Government Advocate



O R D E R

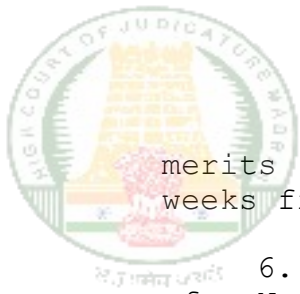
This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to pass orders on the application submitted by the petitioner dated 12.04.2019 and further proceedings by the 3rd respondent in R.Dis.No.186/2019 dated 12.04.2019 issued to the petitioner to regularize the land in Plot No.10, measuring an extent of 2668 Sq.ft. comprised in Survey No.660 which is situated in Old No.61, New No.54, Korattur Village, Theeppanjamman Extension, Ambattur Taluk, Thiruvallur District, under the "innocent purchaser category" in terms of the Government Order issued in G.O.Ms.No.649, Revenue Department, dated 29.07.1998 within a time frame as may be fixed by this Court.

2. The case of the petitioner is that the petitioner had purchased the aforesaid property from one Senthil Nathan through a registered Sale Deed dated 22.02.2008, vide Document No.566 of 2008 on the file of Sub-Registrar Office, Villivakkam, Chennai. Thereafter, she is the absolute owner and enjoyment of the subject property. After the purchase of the aforesaid property, the petitioner came to know that the aforesaid property was originally subjected to Urban Land Ceiling proceedings under the Provisions of the Tamil Nadu Urban Land [Ceiling and Regulation] Act, 1978. Therefore, the petitioner has made representation/application dated 12.04.2019 before the third respondent, seeking for regularization of the purchase of land under "Innocent Buyers Category" under the purview of the orders issued in G.O.Ms.No.649, Revenue, dated 29.07.1998 and subsequently G.O.Ms.No.565/ULC-1/Revenue Department, dated 26.09.2008. Further, the third respondent has received the said application/representation and initiated the proceedings in R.Dis.No.186/2019 dated 12.04.2019. However, till date, the third respondent has not passed any orders on the same. Hence, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that, it would suffice, if this Court, issues direction to the third respondent to consider the petitioner's representation / application dated 12.04.2019 and pass orders on the same within a particular time frame that may be fixed by this Court.

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

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the third respondent to consider the petitioner's representation / application dated 12.04.2019 and pass appropriate orders on



merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

jd/rap

To

1. The Secretary to the Government,
State of Tamil Nadu,
Revenue Department,
Secretariat, Fort, St.George,
Chennai 600 009.
2. The Special Commissioner,
Commissionerate for Urban Land Ceiling &,
Urban Land Tax, Chepauk,
Chennai 600 005.
3. The Assistant Commissioner,
Urban Land Ceiling &,
Urban Land Tax, Ponnammalli,
Tiruvallur District.

+1cc to the Government Pleader, S.R.No.27160

W.P. No.9776 of 2022

AD(CO)
RN(04/05/2022)