

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.15428 of 2022

Karpagam

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
St.George Fort, Chennai 600 009.
2. The Additional Chief Secretary / Commissioner,
Urban Land Ceiling of Urban Land Tax,
Chepauk, Chennai 600 005.
3. The Special Commissioner,
Commissioner of Urban Land and Ceiling of Urban Land Tax,
Chepauk, Chennai 600 005.
4. The District Collector,
Rajaji Salai, Beach Road, George Town,
Chennai Collector Office, Chennai 600 001.
5. The Deputy Commissioner,
Urban Land and Ceiling of Urban Land Tax,
Ezhiligam, Chennai 600 005.
6. The Assistant Commissioner,
Urban Land and Ceiling of Urban Land Tax,
Ambattur Zone, No.5, Sennathi Street,
Poonthamallee, Chennai 600 056.
7. The Tahsildar,
Madhavaram Taluk Office,
Puzhal, Chennai 600 066.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st to 7th respondents to consider and thereby disposing the representation made by petitioner on 06.04.2009, 29.02.2016, 08.03.2022 and 17.02.2022 to 1st to 4th & 7th respondents for to regularize petitioner's purchase land

under the innocent purchaser scheme and mutate the revenue records in favour of the petitioner in respect of the property comprised in Survey No.127/2, situated at Surapattu Village, Madhavaram Taluk, old Thiruvallur District, Now Chennai District, within the Chennai Corporation limit of Madhavaram 3rd Zone, measuring an extent of Acres 0.30 Cents or 13068 Square feet or 1200 Square Meters and issue Patta in favour of the petitioner.

For Petitioner : M/S.M.Gurumoorthy

For Respondents: Ms.Akila Rajendran
Government Advocate

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 1st to 7th respondents to consider and thereby disposing the representation made by petitioner on 06.04.2009, 29.02.2016, 08.03.2022 and 17.02.2022 to 1st to 4th & 7th respondents for to regularize petitioner's purchase land under the innocent purchaser scheme and mutate the revenue records in favour of the petitioner in respect of the property comprised in Survey No.127/2, situated at Surapattu Village, Madhavaram Taluk, old Thiruvallur District, Now Chennai District, within the Chennai Corporation limit of Madhavaram 3rd Zone, measuring an extent of Acres 0.30 Cents or 13068 Square feet or 1200 Square Meters and issue Patta in favour of the petitioner.

2. The case of the petitioner is that the petitioner had purchased the aforesaid property from one T.Krishnan, through a registered Sale Deed dated 05.08.2002, vide Document No.4389 of 2002. Subsequent to the purchase of the aforesaid property, the petitioner is in continuous possession and enjoyment of the said property. While so, 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 made several representations dated 06.04.2009, 29.02.2016, 08.03.2022 and 17.02.2022 before the respondents 1 to 4 and 7, 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 Revenue Department, dated 29.06.2008. Further, the petitioner made her representation before the 6th respondent/Assistant Commissioner, seeking for the aforesaid relief and thereafter, the 6th respondent inspected her property along with the surveyor and recommended the 3rd respondent to approve the same. Thereafter, the 3rd respondent has

recommended the approval and the same is pending before the first and second respondents for orders. However, till date, no order has been passed, and, therefore, 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 respondents to consider the petitioner's representations dated 06.04.2009, 29.02.2016, 08.03.2022 and 17.02.2022 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 the 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 respondents to consider the petitioner's representations dated 06.04.2009, 29.02.2016, 08.03.2022 and 17.02.2022 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.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Housing and Urban Development Department,
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2. The Additional Chief Secretary / Commissioner,
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3. The Special Commissioner,
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7. The Tahsildar,
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Puzhal, Chennai 600 066.

+1cc to Mr.K.Yuvaraj, Advocate, S.R.No.37988

+1cc to the Government Pleader, S.R.No.38978

W.P. No.15428 of 2022

SR(CO)
SB(13/07/2022)