



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.12878 of 2019

S.Pasumpon

...Petitioner

-Vs-

1. The Assistant Commissioner/
Competent Authority, Urban Land Ceiling,
153, Karuneegar Street, Adambakkam,
Chennai-600 088.

2. The Tahsildar,
Pallavaram,
Chennai-600 043.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to incorporate the petitioner name as owner in the revenue records by deleting the name "THAMIZAGA ARASU", in respect of land measuring 50 cents comprised in Paimash No.318/4, corresponding Survey No.276/1B, Keelkatalai Village, Pallavaram Taluk, Kancheepuram District, based on my representation dated 10.10.2018.

For Petitioner : Mr.V.Ramesh
for Mr.T.Thiyagarajan

For Respondents: Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to incorporate the petitioner name as owner in the revenue records by deleting the name "THAMIZAGA ARASU", in respect of land measuring 50 cents comprised in Paimash No.318/4, corresponding Survey No.276/1B, Keelkatalai Village, Pallavaram Taluk, Kancheepuram District, based on my representation, dated 10.10.2018.

2.Heard Mr.V.Ramesh, learned counsel appearing for the petitioner and Mr.V.Jeevagiridharan, learned Additional



Government Pleader appearing for the respondents.

3.The case of the petitioner is that the land ad-measuring 50 cents comprised in Paimash No.318/4, corresponding Survey No.276/1B, Keelkatalai Village, Pallavaram Taluk, Kancheepuram District, owned by the petitioner. The subject land was the subject matter of proceedings under Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. The said proceedings was questioned by the petitioner in W.P.No.15493 of 2002 before this Court and this Court by an order dated 16.10.2012 had quashed the entire proceedings and allowed the writ petition.

4.Aggrieved by the same, the first respondent preferred an appeal in W.A.SR.No.58879 of 2016 with a delay condone petition in CMP.No.14514 of 2016 and the same was dismissed by the Hon'ble Division Bench of this Court on 20.07.2018. Thereafter, the petitioner submitted a representation before the second respondent for mutation of revenue records in favour of the petitioner by deleting the name "Tamizhaga Arasu" in respect of the subject property and also for issuance of patta.

5.The first respondent filed counter and revealed that they initiated proceedings to file an appeal before the Hon'ble Supreme Court of India as against the order passed in CMP.No.14514 of 2016 in W.A.SR.No.58879 of 2016 and it is pending. Nothing has been numbered as Special Leave Petition and no interim order was obtained by the first respondent.

6.In view of the above, the second respondent is directed to mutate the revenue records in favour of the petitioner and issue patta in respect of the subject property, ad-measuring 50 cents comprised in Paimash No.318/4, corresponding Survey No.276/1B, Keelkatalai Village, Pallavaram Taluk, Kancheepuram District, within a period of four weeks from the date of receipt of a copy of this order, subject to the result of any outcome of Special Leave Petition on the file of the Hon'ble Supreme Court of India.

7.In the result, this writ petition stands allowed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mn/psa



To

1. The Assistant Commissioner/
Competent Authority, Urban Land Ceiling,
153, Karuneegar Street, Adambakkam,
Chennai-600 088.

2. The Tahsildar,
Pallavaram,
Chennai-600 043.

+1cc to Mr.T.Thiyagarajan, Advocate, S.R.No.7288

+1cc to the Government Pleader, S.R.No.7314

W.P.No.12878 of 2019

GPL (CO)
RGA (25/02/2022)