



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.27767 of 2021

and

W.M.P.No.29331 of 2021

1.Andal

2.M.Gnanasekaran

...Petitioners

Vs

1. The State of Tamilnadu

Rep. by its Secretary to Government,
Revenue Department, Secretariat,
Fort St. George, Chennai - 600 009.

2. The Commissioner,

Urban Land Celling and Tax,
Chepauk, Chennai - 600 005.

3. The Assistant Commissioner,

Urban Land Tax,
Alandur, Chennai.

4. The Tahsildar,

Office of the Taluk Office,
Sholinganallur,
Chennai.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue patta in respect of lands covered in Plot No.7 in S.No.174/2 Part situate in Madipakkam Village, Kancheepuram District, measuring about 3060 sq.ft and consequently to make entry in the revenue records maintained by the Revenue Department to the effect that the petitioners are the owners of the land situated at Plot No.7 covered in S.No.174/2 Part, situate in Madipakkam Village, Kancheepuram District, within a time to be stipulated by this Court.

For Petitioners : Mr.G.Rajkumar

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader



ORDER

This writ petition is filed to issue a Writ of Mandamus to direct the respondents to issue patta in respect of the lands covered in Plot No.7 comprised in S.No.174/2 Part, situated at Madipakkam Village, Kancheepuram District, measuring about 3060 sq.ft and consequently to make entry in the Revenue Records maintained by the Revenue Department to the effect that the petitioners are the owners of the said land, within a time to be stipulated by this Court.

2.The petitioners had purchased the property in Plot No.7 comprised in S.No.174/2 Part, situated at Madipakkam Village, Kancheepuram District, measuring about 3060 sq.ft from the approved lay-out. The total extent of the land was owned by one C.Murugesu Naicker. After the Urban Land (Ceiling and Regulation) Act, the proceedings were initiated against him under the said Act. However, it is seen from the lay-out that, so many persons had purchased the respective plots and they were not issued notice under Section 11 (5) of the Act for taking physical possession of their respective lands. Some of the purchasers have approached this Court by way of Writ Petitions and the Writ Petitions were allowed under the benefit of the Repeal Act, 1999. Therefore, the petitioners sought for patta in respect of the property purchased by them.

3.Considering the above facts and circumstances of the case, the petitioners are directed to make application before the fourth respondent for issuance of patta along with all relevant records in respect of the property comprised in S.No.174/2 Part, situated at Madipakkam Village, Kancheepuram District, measuring about 3060 sq.ft, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the fourth respondent is directed to conduct enquiry, after issuance of notice to the petitioners and counter parties, if any and after giving an opportunity of hearing to them, pass orders on merits and in accordance with law, within a period of eight weeks thereafter.

4.With the above direction, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

kv



To

1. The Secretary to Government,
Revenue Department, Secretariat,
Fort St. George, Chennai - 600 009.

2. The Commissioner
Urban Land Celling and Tax,
Chepauk, Chennai - 600 005.

3. The Assistant Commissioner
Urban Land Tax,
Alandur, Chennai.

4. The Tahsildar,
Office of the Taluk Office,
Sholinganallur,
Chennai.

+1cc to M/s.G.Rajkumar, Advocate, S.R.No.527

+1cc to the Government Pleader, S.R.No.633

W.P.No.27767 of 2021

KSM(CO)
RGA (21/01/2022)