



WEB COPY



W.P.No.29995 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.29995 of 2022

C.Durai

. . . Petitioner

Vs.

1. Government of Tamilnadu, Rep by
The Secretary to Government
Department of Revenue
Urban Land Ceiling
Urban Land Tax
Fort St.George
Chennai 600009.
2. The Special Commissioner,
Commissioner for Urban Land Ceiling & Tax,
Chepauk, Chennai-600005.
3. The Asst.Commissioner
Urban Land Ceiling & Tax
No.153, Karuneeagar Street,
Paramesh Nagar, Adambakkam,
Chennai-6000088

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of writ directing the 2nd respondent herein to issue



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clearance certificate for the petitioners land comprised in Survey No.295/1B, 7th Cross Street, Rane Nagar, Nanmangalam, Chennai 60017 Extent 3615 sq.ft.

For Petitioners : M/s.V.K.Rajagopalan

For Respondents : Mr.U.Baranidharan,
Additional Government Pleader

ORDER

The present petition has been filed seeking a direction to the 2nd respondent to issue clearance certificate to the petitioner in respect of the land comprised in Survey No.295/1B to an extent of about 3615 sq.ft. Situated at 7th Cross Street, Rane Nagar, Nanmangalam, Chennai 600 017.

2. It is the case of the petitioner that he had purchase the subject property from one K.Saraswathi through her Power Agent vide the registered document No.6303/1995. In order to put up a pucca building in the said property, the petitioner had applied for patta before the Tahsildar, Pallavaram along with necessary documents, however, the petitioner was



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advised to get clearance certificate for the said property as the same comes under the ceiling Act. Therefore, the petitioner made an application before the 2nd respondent, requesting to issue clearance certificate in favour of the petitioner. Even after a lapse of two years, no action has been taken on the said representation. Hence, the present petition has been filed.

3. Though very many grounds have been raised, however, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 2nd respondent to consider the petitioner's representation dated 29.07.2022 and pass orders on the same within the time that may be stipulated by this Court.

4. On the above contentions, this Court, heard the learned the Additional Government Pleader appearing for the respondents

5. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the 2nd respondent/Special Commissioner for Urban Land Ceiling & Tax to consider the petitioner's representation dated



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29.07.2022 made by the petitioner and pass appropriate orders on the same in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as the as well to the aggrieved persons if any, within a period of Six weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is disposed with the aforesaid direction. No Costs.

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Index : Yes / No

Internet : Yes / No



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To

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M.DHANDAPANI, J.

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