



W.P.No.30889 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.11.2022

Coram

The Honourable Mr.Justice M.DHANDAPANI

W.P.No.30889 of 2022

S.Sadasivam

...Petitioner

Versus

1.The State,
Rep. by its Secretary to Government,
Revenue Department,
Fort St.George,
Chennai – 600 009.

2.The Commissioner,
Urban Land Ceiling and
Urban Land Tax,
Ezhilagam,
Chennai – 600 005.

3.The Assistant Commissioner,
Urban Land Tax,
Alandur,
Chennai – 600 016.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of mandamus directing the respondents to



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pass orders on the application and representation dated 14.10.2022 submitted by the petitioner for regularisation of the land, purchased together with the house measuring an extent of 1,240 Sq.ft comprised in S.No.33/1A1A and 2, bearing Plot No.9A, Door No.3/493, Saraswathy Nagar, Neelangarai, Chennai – 600 115 under innocent purchaser category as dealt by this Court in W.P.No.15629 of 2021 vide order dated 17.08.2021 and in W.P.No.8309 of 2019 dated 16.04.2019.

For Petitioner : Ms.Karthikaa Ashok
For Respondents : Mr.U.Bharanidharan,
Additional Government Pleader

ORDER

Mr.U.Bharanidharan, learned Additional Government Pleader takes notice for the respondents. With the consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought by the petitioner is this writ petition is to direct the respondents to pass orders on the application and representation dated 14.10.2022 submitted by him for regularisation of the land, purchased by him together with the house measuring an extent of 1,240 Sq.ft comprised



in S.Nos.33/1A1A and 2, bearing Plot No.9A, Door No.3/493, Saraswathy Nagar, Neelangarai, Chennai – 600 115 under innocent purchaser category as dealt by this Court in W.P.No.15629 of 2021 vide order dated 17.08.2021 and in W.P.No.8309 of 2019 vide order dated 16.04.2019.

3. The case of the petitioner is that he has purchased a land measuring to an extent of 1,240 Sq.ft together with the house built to an extent of 1,110 Sq.ft at Door No.3/493 in Plot No.9A, Saraswathy Nagar, Neelangarai, Chennai – 600 115 comprised in S.Nos.33/1A1A and 2 situated at Neelangarai Village, Sholinganallur Taluk, Kanchipuram District now Chennai District with Electricity Service connection, by way of Sale Deed dated 06.06.2012 which was registered as Document No.3456 of 2012 on the file of Sub Registrar Office, Neelankarai, Chennai. While so, he submitted an application before the Tahsildhar, for getting Patta to the said land, but, his application was rejected for the reason that the land in S.No.33/2 is covered under Urban Land (Ceiling and Regulation) Act, 1976 (hereinafter referred to as 'Act') and taken over by the Government. Thereafter, the petitioner made a representation dated 14.10.2022 before the respondents, for regularisation of the sale and purchase of his land.



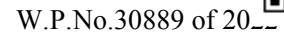
However, the respondents have not yet considered his representation.

Hence, left with no other alternative, the petitioner has filed the present writ petition before this Court.

4. The learned counsel for the petitioner submitted that the petitioner is bonafide and innocent purchaser of the land. He further submitted that the petitioner is entitled to get the benefit of G.O.Ms.No.565 Revenue Department ULC I(2) dated 26.09.2008 since he has purchased the said land without knowing that the same was acquired under the Act. Therefore, the learned counsel prayed that appropriate direction may be issued to the third respondent to consider the petitioner's representation and pass orders on the same, within a time frame as stipulated by this Court.

5. The learned Additional Government Pleader appearing for the respondents submitted that he has no objection to such direction being issued by this Court.

6. Heard the learned counsel on either side and perused the materials placed before this Court.





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M.DHANDAPANI, J.

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