



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4828 of 2022

Poochakkaravarthi

... Petitioner

Vs.

1.The Principal Secretary,
Revenue and Disaster Management,
State of Tamil Nadu,
Namakkal Kavigar Maligai,
Chennai.

2.The Principal Secretary / The Commissioner,
Urban land ceiling and urban land tax development,
State of Tamil Nadu,
Chepakkam, Chennai.

3.The District Registrar (Administration),
Office of the District Registrar,
171, Aranmanai Salai,
Madurai South, Madurai.

4.The Assistant Commissioner,
Office of the Assistant Commissioner,
Urban land ceiling and urban land tax department,
K.K.Nagar, Madurai District.

5.The Tahsildar,
Office of the Tahsildar,
Thiruparankundram Taluk,
Thanakkankulam,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the fourth respondent to regularize the petitioner's property measuring an extent of 1047 ½ square feet in Survey No.204/B4, door No.19, Avvaiyar Theru, Pasumpoon Nagar, Madakulam Village, Madurai District and confirm the title and possession of the petitioner's land to the petitioner by considering the petitioner's representation dated 19.10.2020 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.D.Sasikumar

Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus to direct the fourth respondent to regularize the petitioner's property measuring



an extent of 1047 ½ square feet in Survey No.204/B4, Door No.19, Avvaiyar Theru, Pasumpoon Nagar, Madakulam Village, Madurai District and confirm the title and possession of the petitioner's land to the petitioner by considering the petitioner's representation dated 19.10.2020 within a time frame to be fixed by this Court.

WEB COPY

2.The petitioner claims that he is the owner of the aforementioned property and he seeks regularisation of his property based on G.O.Ms.No.565, Revenue (NA.NI.OO) (1) Department dated 26.09.2008, under which after paying the cost of the land to be fixed by the Government, such kind of excess land purchased wrongly by the genuine purchasers would be regularised. The petitioner has given a representation on 19.10.2020 to the respondents requesting them to regularise his land as per the aforementioned Government Order. Since the said representation has not been considered, this Writ Petition has been filed.

3.Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents if the petitioner's representation seeking for regularisation of his land as per G.O.Ms.No.565, Revenue (NA.NI.OO) (1) Department dated 26.09.2008, is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

5.Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 19.10.2020 requesting the second respondent to regularise his property measuring an extent of 1047 ½ square feet in Survey No.204/B4, Door No.19, Avvaiyar Theru, Pasumpoon Nagar, Madakulam Village, Madurai District, in the light of G.O.Ms.No.565, Revenue (NA.NI.OO) (1) Department dated 26.09.2008 and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of six [6] months from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

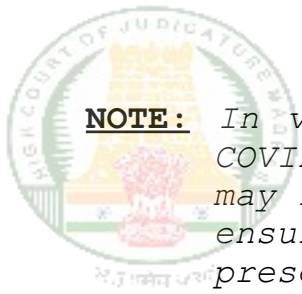
Assistant Registrar (AD-I)

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/ /2022

Sub Assistant Registrar(CS)

MR



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary,
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Madurai District.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-13078[F] dated 18/03/2022)

+1 CC to M/s.SPL GP (SR-13183[F] dated 21/03/2022)

ORDER MADE IN
W.P. [MD]No.4828 of 2022
18.03.2022

SS (CO)
GC (30.03.2022) 3P 8C