



WEB COPY



W.P.No.3967 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.3967 of 2023

Mrs.Nitha Purushan Rajeswary

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Fort St.George,
Chennai – 600 009.
2. The Special Commissioner,
Commissionerate for Urban Land Ceiling & Urban Land Tax,
Chepauk, Chennai – 600 005.
3. The Assistant Commissioner,
Urban Land Ceiling & Urban Land Tax,
Madhavaram Zone,
No.2, Vivek Nagar, Kolathur,
Chennai – 600 099.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pass orders on the application submitted by the petitioner dated 21.11.2022 for regularization of the vacant land all that piece and parcel of vacant land, bearing being Western Portion of Plot No.60 measuring an extent of 1200 sq.ft comprised in Survey No.68/1, 68/2, 81/1, New Sub-Division Survey No.68/2B of No.57, Puthagaram Village,



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in “Sri Singaravelan Nagar”, Ambattur Taluk, Presently Madhavaram Taluk, Thiruvallur District under innocent purchaser category in terms of Government orders issued in G.O.Ms.No.649, Revenue Department dated 29.07.1998 and G.O.Ms.No.565, Revenue Department dated 26.09.2008 within a time frame to be fixed by this Court.

For Petitioner : Mr.C.Shankar
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to pass orders on the application submitted by the petitioner dated 21.11.2022 for regularization of the vacant land bearing Plot No.60 measuring an extent of 1200 sq.ft comprised in Survey No.68/1, 68/2, 81/1, New Sub-Division Survey No.68/2B of No.57, Puthagaram Village, in “Sri Singaravelan Nagar”, Ambattur Taluk, Presently Madhavaram Taluk, Thiruvallur District under innocent purchaser category in terms of Government orders issued in G.O.Ms.No.649, Revenue Department dated 29.07.1998 and G.O.Ms.No.565, Revenue Department dated 26.09.2008 within a time frame to be fixed by this Court.

2. The petitioner has purchased some land at Puthagaram Village,



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Ambattur Taluk, Presently Madhavaram Taluk, Thiruvallur District, which has been presently known to the petitioner that it was covered under the Land Ceiling Act. The petitioner being an innocent purchaser has made a representation on 21.11.2022 to the second and third respondent to consider the plea of the petitioner to treat him as an innocent purchaser by regularizing the purchase made by him. Therefore, in order to consider the said representation, the petitioner has moved the present writ petition.

3. Heard Mr.C.Shankar, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

4. Learned Special Government Pleader appearing for the respondents would submit that, insofar as the plea raised by the petitioner dated 21.11.2022 to treat the petitioner as an innocent purchaser for the purpose of regularizing the property in question, which he has purchased without knowing that it was covered under the Land Ceiling Act is concerned, that can be considered under the extant Rule as to whether the petitioner is entitled to get the benefit as an innocent purchaser and



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accordingly, a decision would be taken on the representation given by the petitioner dated 21.11.2022 on merits and in accordance with law within a time frame that may be stipulated by this Court.

5. Considering the said submission made by the learned counsel appearing for both sides especially the stand taken by the learned Special Government Pleader appearing for the respondents, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the second and third respondents to consider the representation of the petitioner dated 21.11.2022 and pass orders thereon on merits and in accordance with law within a period of eight(8) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

10.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
mp



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R. SURESH KUMAR, J.

mp

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