



W.P.No.21984 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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V.Kanchana

...Petitioner

Vs.

1.The Secretary to the Government,
State of Tamil Nadu,
Revenue 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, Ponnammali
Ambattur Taluk,
Tiruvallur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to directing the respondents to pass orders on the application submitted by the petitioner dated 21.05.2012 and further,



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proceedings by the 3rd respondent in NA.KA.No.392/2012/C dated 13.01.2016 issued to the petitioner to regularize the land in comprising Survey No.302/11, bearing plot No.28, measuring an extent of 2082 square feet situated at Old No.58, New No.551, Thirumullaivoual Village, Royal Residency Nagar, Avadi Taluk, Thiruvallur District, under the innocent purchaser category in terms of the government order issued in G.O.M.s.No.649 Revenue Department dated 29.07.1998 within a time frame as fixed by the Hon'ble Court.

For Petitioner : Mr.D.Babu Varadharajan

For Respondents : Mr.G.KrishnaRaja
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to pass orders on the application submitted by the petitioner dated 21.05.2012 and further, proceedings by the 3rd respondent in NA.KA.No.392/2012/C dated 13.01.2016 issued to the petitioner to regularize the land comprising in Survey No.302/11, bearing plot No.28, measuring to an extent of 2082 square feet situated at Old No.58, New No.551, Thirumullaivoual Village, Royal Residency Nagar, Avadi Taluk, Thiruvallur District, under the innocent purchaser category in terms of the



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Government Order issued in G.O.M.s.No.649 Revenue Department dated 29.07.1998 within a time frame.

2.The Petitioner states that she is the owner of the subject property morefully described in the present Writ Petition. To regularize the subject property, the petitioner submitted an application under the Tamil Nadu Urban Land Ceiling and Regulation Act, 1978. Since no decision has been taken by the authorities, the petitioner is constrained to move the present Writ Petition.

3.The learned Additional Government Pleader appearing on behalf of the respondents furnished a copy of the written instructions given by the Assistant Commissioner (Urban Land Tax) Poonamallee zone, vide letter dated 31.08.2023. The authority has clearly stated that the land owner and her power agent appeared for enquiry before the 3rd respondent Assistant Commissioner on 29.03.2016 and submitted additional documents in support of their claim. The petitioner's application along with detailed report was forwarded from the Assistant Commissioner [ULT], Poonamallee to the



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Special Commissioner, Commissionerate for Urban Land Ceiling & Urban Land Tax, Chepauk, vide letter dated 30.05.2016 for scrutiny and onward transmission to Government for necessary concurrence.

4.Pertinently, the Assistant Commissioner [Urban Land Tax], Ponnammallee forwarded the application submitted by the Writ Petitioner along with the report on 30.05.2016 and even after lapse of seven years, no final decision has been taken by the competent authorities. Since there is enormous delay in considering the application submitted by the Writ Petitioner, the respondents 1 and 2 are directed to complete the process of consideration on merits and take a decision and pass final orders within a period of twelve weeks from the date of receipt of copy of this order.

5.Accordingly, the writ petition stands disposed of. No Costs.

01.09.2023

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Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order



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WEB COPY To

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S.M.SUBRAMANIAM, J.

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