



W.A.No.2939 of 2021

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.2939 of 2021

1. The Special Commissioner &
Commissioner of Land Reforms
Chepauk, Chennai 600 005.
 2. The Assistant Commissioner/U.L.T.
Competent Authority (Urban Land Ceiling)
Madhavaram Zone, No.2, Vivek Nagar
Kolathur, Chennai 99.
 3. The Tahsildar
Ambattur, Chennai.
- Vs.
1. Sekar
 2. Raghuraghavan
 3. Bharathi
 4. Devika
 5. Renuka Devi
 6. Gomeshwari
 7. Premavathi
 8. Gandhimathi
 9. B.Sathya
- Respondents 1 to 9 rep. by their
General Power Agent K.V.Thirupathiah
- .. Appellants
- .. Respondents



W.A.No.2939 of 2021

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 30.07.2019 made in W.P.No.6489 of 2009.

For the Appellants : Mr.J.Ravindran
Additional Advocate General
Assisted by
Mr.U.Bharanidharan
Additional Government Pleader

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

Heard Mr.J.Ravindran, learned Additional Advocate General, assisted by Mr.U.Bharanidharan, learned Additional Government Pleader for the appellants.

2. The present writ appeal is filed against the order passed by the learned Single Judge in W.P.No.6489 of 2009.

3. Under the said order, the learned Single Judge allowed the writ petition and set aside the order passed under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978.

4. Learned Additional Advocate General submits that notice



W.A.No.2939 of 2021

WEB.COM

has been served to the land owners as per the provisions by affixture since the whereabouts of the land owners were not known and possession has also been taken.

5. The learned Single Judge has observed that only symbolic possession has been taken by the present appellants and no physical possession was taken. There is no handing over of possession by the land owners prior to the repeal of the Act. The records produced before us also suggest that only symbolic possession was taken and physical possession was not taken.

6. In the light of that, no error has been committed by the learned Single Judge in passing the impugned order. Accordingly, the writ appeal is dismissed. Consequently, CMP No.19924 of 2021 is also dismissed.

(S.V.G., CJ.)

(P.D.A., J.)

21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
kpl

Page 3 of 4



WEB COPY



W.A.No.2939 of 2021

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

(kpl)

W.A.No.2939 of 2021

21.06.2023