



W.A.No.2585 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

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1. The Special Commissioner  
and Commissioner for Urban  
Land Ceiling and Urban Land Tax  
Chepauk, Chennai – 600 005.
2. The Assistant Commissioner  
for Urban Land Tax cum Competent Authority  
Tambaram at Alandur  
Chennai – 600 088.

.. Appellants

Vs

Thulasingham

.. Respondent

Prayer : Appeal under Clause 15 of the Letters Patent against the order passed by the learned Single Judge in W.P.No.5199 of 2008 dated 19.6.2019.

For the Appellants

: Mr.K.Karthik Jaganath  
Government Advocate



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## JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.K.Karthik Jaganath, learned Government Advocate for the appellants.

2. The present respondent/original writ petitioner had filed a writ petition bearing W.P.No.5199 of 2008. The contention of original writ petitioner is that the subject writ land was in joint possession and enjoyment of the original petitioner along with Narasimalu Naidu. No notice of the proceedings was served upon the original petitioner or Narasimalu Naidu under the provisions of the Tamil Nadu Urban Land (Ceiling and Regulation) Act. The physical possession was also never obtained by the State.

3. The learned Single Judge accepted the contention of the original petitioner and allowed the writ petition. Aggrieved thereby, the present appeal.



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4. Learned Government Advocate for the appellants submits that Narasimalu Naidu was not available and, as such, the notice was served upon the family member, i.e., the wife. The same would be proper service. The possession delivery notice is on record.

5. Learned Single Judge has observed that the notice has to be served by RPAD at the last known address of the person.

6. Be that as it may, the original petitioner claims to be a joint possessor. No notice was served to the original petitioner nor there is anything on record to demonstrate that the actual physical possession of the land was obtained.

7. In the light of the above, we do not find any error committed by the learned Single Judge while passing the impugned judgment.

The writ appeal is dismissed. There will be no order as to costs. Consequently, C.M.P.No.21831 of 2023 is closed.



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(S.V.G., CJ.)

(P.D.A., J.)

25.09.2023

Index : Yes/No  
Neutral Citation : Yes/No  
sasi



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

(sasi)

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