



W.P.(MD) No.17637 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2023

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THE HONOURABLE MR.JUSTICE **K.KUMARESH BABU**

**W.P.(MD) No.17637 of 2014**

S.S.Mohammed Abubacker

... Petitioner

/vs./

- 1.The Commissioner,  
Urban Land Ceiling and Urban  
Land Tax,  
Chepauk, Chennai -5.
- 2.The Assistant Commissioner,  
Land Reforms,  
Murugankuruchi,  
Palayamkottai,  
Tirunelveli 627 002.
- 3.The Government of Tamil nadu,  
represented by its Principal Secretary,  
Revenue Department,  
Fort St.George, Chennai 600 009.

*(R3 has been impleaded vide  
order dated 21.02.2023)*

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularize the petitioner's purchase of property bearing S.No.64/2 measuring 2 Acres 4 cents of Melapalayam Village, Tirunelveli, as per G.O.Ms.No.565 Revenue (Na Ni Oul (1) Department, dated 26.09.2008.

For Petitioner : Mr.R.Subramanian

For Respondents : Mrs.D.Farjana Ghoushia  
Special Government Pleader

### **ORDER**

The prayer in the writ petition is seeking for a Mandamus to direct the respondents to regularize the petitioner's purchase of property bearing S.No.64/2 measuring an extent of 2.4 acres at Melapalayam Village, Tirunelveli, as per G.O.Ms.No.565 Revenue (Na Ni Oul (1) Department, dated 26.09.2008.

2.The petitioner seems to have purchased the property, against which urban land ceiling proceedings were initiated. The Government had come out with a proposal to protect the innocent purchasers under G.O.(Ms) No.565, Revenue (Na Ni Oul (1) Department, dated 26.09.2008. The said Government Order was also kept under abeyance for certain period and thereafter, the Government has been



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considering the request of the innocent purchasers. The petitioner has also admittedly made an application under the said scheme and the same is pending with the Government. Therefore, the third respondent shall consider the claim of the petitioner, which is pending before it and pass appropriate orders after affording opportunity to all the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order, in the light of G.O.(Ms) No.565, Revenue (Na Ni Oul (1) Department, dated 26.09.2008.

3. With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
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**22.02.2023**

To

1. The Commissioner,  
Urban Land Ceiling and Urban  
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Chepauk, Chennai -5.

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**K.KUMARESH BABU, J.**

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