



WEB COPY

W.P.No.3150 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

Coram:

**THE HONOURABLE MR. JUSTICE P.VELMURUGAN**

W.P. No.3150 of 2024

M.Priya

... Petitioner

Vs.

1. The Secretary to Government  
Revenue & Disaster Management Department  
ULC Wing, ULC (I(2)) Section  
Secretariat, Chennai - 600 009
2. The Commissioner of Land Reforms/Director (FAC)  
Urban Land Ceiling and Urban Land Tax  
Ezhilagam, Chepauk  
Chennai - 600 005
3. The Assistant Commissioner  
(Urban Land Tax), (Kundrathur)  
No.153, Karuneegar Street,  
Adambakkam, Chennai - 600 088
4. The Tahsildar  
Maduravoyal Taluk Office  
Ganesh Nagar, Porur  
Chennai District - 600 116

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent dated 14.12.2023 made in R.C.E4/10511/2021 and quash the



same as illegal & arbitrary and consequently, issue a direction to the 2nd respondent to issue the “No Objection Certificate” and the 4th respondent to issue “Patta” in favour of the petitioner's property situated at Plot No.195, Velan Nagar, Main Road, Alwartirunagar, Valasaravakkam, Chennai - 600087, comprised in Survey No.7/1A, measuring an extent of 2000 sq.ft., situated at Valasaravakkam Village, Maduravoyal Taluk, Chennai District.

For Petitioner : Mr.P.Suresh Babu

For Respondents : Mr.T.Arunkumar  
Additional Government Pleader

### **ORDER**

This Writ Petition is filed challenging the proceedings of the 2nd respondent dated 14.12.2023 made in R.C.E4/10511/2021 and quash the same as illegal & arbitrary and consequently, issue a direction to the 2nd respondent to issue the “No Objection Certificate” and the 4th respondent to issue “Patta” in favour of the petitioner's property situated at Plot No.195, Velan Nagar, Main Road, Alwartirunagar, Valasaravakkam, Chennai - 600087, comprised in Survey No.7/1A, measuring an extent of 2000 sq.ft., situated at Valasaravakkam Village, Maduravoyal Taluk, Chennai District.

2. The case of the petitioner is that she applied for patta for the



property settled in his favour in the year 2008, by his brother. As the land was acquired by Urban Land Ceiling Act, she was required to obtain NOC from 3rd respondent. Hence, she applied for regularisation under innocent buyers scheme on 02.05.2018. Though she appeared and submitted documents, as required by the 3rd respondent, there was no response. Hence, she filed W.P.No.31636 of 2022 for direction to the 3<sup>rd</sup> respondent to issue NOC and the same was disposed on 28.11.2022 directing the 3rd respondent to consider the petitioner's representation.

3. In the meanwhile, the petitioner filed W.P.No.31275 of 2022 seeking direction to issue patta and the same was disposed by directing the 4th respondent to consider her application. As the respondents 3 and 4 did not comply with the orders, the petitioner filed Cont.P.Nos.2097 and 2189 of 2023 against the 3<sup>rd</sup> and 4<sup>th</sup> respondents respectively. Thereafter, the 4th respondent rejected the claim of the petitioner on the ground that the land in question was acquired under Urban Land Tax Ceiling Act and therefore, directed to obtain No Objection from the Urban Tax Commission for issuance of patta.

4. The 3rd respondent, by letter dated 30.10.2023, recommended for regularisation of the land in question in view of G.O.Ms.No.34, Revenue &



Disaster Management Department dated 04.02.2019. However, since the petitioner did not submit the link documents purchased from Ezhumalai Naicker, as directed, the application of the petitioner was rejected by the impugned order. Hence, the present Writ petition is filed.

5. This Court, while disposing the earlier writ petitions, directed the authorities concerned to pass orders on merits and in accordance with law within a time frame. However, the petitioner failed to produce the link documents to show her bona fide and to find out the original owner at the time of declaration of surplus land under the Urban Land Ceiling Act. Hence, the petitioner is not entitled to the relief sought in this writ petition.

6. Accordingly, this Writ Petition is dismissed at the admission stage itself. No costs.

13.02.2024  
(1/2)

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Index : Yes / No

Neutral Citation Case : Yes/No



To

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**P.VELMURUGAN. J.**

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