



WEB COPY

W.P.No.3153 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.3153 of 2024

K.V.Ramachandran

... 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.E4/9772/2021 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.73, Velan Nagar, Alwartirunagar, Valasaravakkam, Chennai - 600087, comprised in Survey No.3/1 (part) measuring an extent of 1212 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.E4/9772/2021 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.73, Velan Nagar, Alwartirunagar, Valasaravakkam, Chennai - 600087, comprised in Survey No.3/1 (part) measuring an extent of 1212 sq.ft., situated at Valasaravakkam Village, Maduravoyal Taluk, Chennai District.

2. The case of the petitioner is that the petitioner applied for Patta



before the 4th respondent, for the property in question. Since the land in question was acquired by Urban Land Ceiling Act, the petitioner was required to obtain NOC from 3rd respondent. Hence, he applied for regularisation under innocent buyers scheme on 04.11.2020. Though he appeared and submitted documents, as required by the 3rd respondent, there was no response. Hence, he filed W.P.No.31643 of 2022 for direction to the 3rd 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.31271 of 2022 seeking direction to issue patta and the same was disposed by directing the 4th respondent to consider his application. As the respondents 3 and 4 did not comply with the orders, the petitioner filed Cont.P.Nos.2107 and 2242 of 2023 against the 3rd and 4th 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 Land 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 Mariappa 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 his 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
(2/2)

ksa-2

Index : Yes / No

Neutral Citation Case : Yes/No



To

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



WEB COPY

W.P.No.3153 of 2024



P.VELMURUGAN. J.

Ksa-2

W.P.No.3153 of 2024

13.02.2024
(2/2)