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WP.No.17304 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **04.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.17304 of 2024

Vanitha

.. Petitioner

Versus

1. The Director,
Office of Urban Land Ceiling and Urban Land Tax,
Chepauk, Chennai – 600 005.

2. The Assistant Commissioner,
Urban Land Tax,
No.5, Sannadhi Street, Poonamallee – 600 056.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 19.03.2024 by passing an order as the petitioner herein is an innocent purchaser and consequently regularize the land standing in name of the petitioner vide sale deed dt.14/11/2007 and registered as Doc.No. 13119 of 2007 with the office of sub-registrar of Avadi in respect of an land measuring an extent of 3658 sq.ft. comprised in Survey No.32/1D1 of Amuthurmedu Village Poonamallee Taluk Tiruvallur District by releasing the same from the urban land ceiling proceedings which falls under innocent purchaser category on collection of appropriate value as per G.O.Ms.No.565 Revenue Department dated



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26.09.2008 and confer title on the petitioner within a time frame to be fixed by this Court.

For Petitioner : Mr.Manoharan Sundaram
For Respondents : Mr.P.Sathis
Additional Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for disposal at the admission stage itself.

2. This Writ Petition has been filed to direct the respondents herein to consider the representation of the petitioner dated 19.03.2024 by passing an order as the petitioner herein is an innocent purchaser and consequently regularize the land standing in name of the petitioner vide sale deed dt.14/11/2007 and registered as Doc.No. 13119 of 2007 with the office of sub-registrar of Avadi in respect of an land measuring an extent of 3658 sq.ft. by releasing the same from the urban land ceiling proceedings which falls under innocent purchaser category on collection of appropriate value as per G.O.Ms.No.565 Revenue Department dated 26.09.2008 and confer title on the petitioner within a time frame to be fixed by this Court.



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3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. It is the case of the petitioner that he has purchased the subject house site on 14.11.2007 and he is a bonafide innocent purchaser. However, he was not aware of the acquisition of the land under the Tamilnadu Urban Land Ceiling proceedings. Hence, the petitioner comes within the ambit of innocent purchaser scheme and the petitioner is entitled for regularization as per G.O.Ms.No.565 /Revenue, dated 26.09.2008. In this regard he has given an application to the authorities and the first respondent has sent a communication on 27.05.2011, requiring certain documents, which has been complied. Again on 29.06.2015, the second respondent has issued a communication demanding similar documents. According to the petitioner, though he has presented the documents sought by the respondents, no Order has been passed by the authorities. Hence, the present Writ Petition.

5. A perusal of the records indicate that the petitioner has applied for regularization as per G.O.Ms.No.565 of Revenue Department and the proceedings of the first respondent dated 27.05.2011 indicate that the



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petitioner was directed to furnish certified copy of the sale deed and encumbrance certificate, tax receipt etc. According to the petitioner, those documents have been furnished immediately. Thereafter, once again, on 29.06.2015, same documents have been sought by the authorities. Again the documents have been produced before the respondents. However, no Order has been passed so far.

6. In such view of the matter, as the petitioner comes within the ambit of G.O.Ms.No.565, the respondents shall consider the representation of the petitioner dated 19.03.2024 and pass Orders on the same in the light of G.O.Ms.No565 within a period of two months from the date of receipt of a copy of this Order.

7. With the above direction, this Writ Petition is disposed of. No costs.

04.07.2024

vrc

Index	:Yes/No
Internet	:Yes/No
Neutral Citation	: Yes/No



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To,
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N. SATHISH KUMAR, J.

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