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WP.Nos.18061 & 18064 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.18061 & 18064 of 2023

N.Nabeesha Begum
N.Nabeel Ahmed

.. Petitioner in W.P.No.18061 of 2023
.. Petitioner in W.P.No.18064 of 2023

Versus

1.The State of Tamil Nadu
Rep by its Secretary to the Government
Revenue Department
Fort St.George, Chennai – 600 009

2.The Principal Secretary/Commissioner
Land Reforms/Urban Land Ceiling & Urban Land Tax
Ezhilagam, Chennai – 600 005

3.The Assistant Commissioner
Urban Land Tax
Kundrathur – 641 018

4.The Tahsildar
Kundrathur Taluk
Chennai – 600 122

.. Respondents in both WPs

Prayer in W.P.No.18061 of 2023: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd Respondent or their men to pass appropriate orders based on the application submitted by the Petitioner for regularization of lands under Innocent purchaser category in G.O.Ms. 565/ULC-1/ Rev.Dept. dated 26.09.2008 and to consider the representation dated 30.05.2022 and to declare the house site situated at Mangadu Village, Kundrathur Taluk, Kancheepuram District which comprised in survey No.430/1, Plot No.II and III measuring to an extent of



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5686 sq.fts (2948 sq.fts Plus 2738 sq.fts) for the removal of land ceiling on payment of the necessary fees as directed by the government.

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Prayer in W.P.No.18064 of 2023: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd Respondent or their men to pass appropriate orders based on the application submitted by the Petitioner for regularization of lands under Innocent purchaser category in G.O.Ms. 565/ULC-1/ Rev.Dept. dated 26.09.2008 and to consider the representation dated 30.05.2022 and to declare the house site situated at Mangadu Village, Kundrathur Taluk, Kancheepuram District which comprised in survey No.430/1, Plot No.IV and V measuring to an extent of 5565 sq.fts for the removal of land ceiling on payment of the necessary fees as directed by the government.

In both WPs

For Petitioner : Mr.I.M.Siddhartha Ramarajan
for M/s.V.Dhanalakshmi

For Respondents : Mr.P.Sathish
Additional Government Pleader

COMMON ORDER

Since the issue involved in the writ petitions are one and the same, they are disposed of by way of this Common Order.

2. These writ petitions are filed for a direction directing the 3rd Respondent to pass orders based on the application submitted by the Petitioners for regularization of their lands under Innocent purchaser category in G.O.Ms. 565/ULC-1/ Rev.Dept. dated 26.09.2008 by considering the representation dated 30.05.2022 and also to declare their house site situated at



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Mangadu Village, Kundrathur Taluk, Kancheepuram District for the removal of land ceiling on payment of the necessary fees as directed by the government.

3. It is the case of the writ petitioners that they purchased the property long back and they fall within the ambit of innocent purchaser category as per G.O.Ms. 565/ULC-1/ Rev.Dept. dated 26.09.2008. Therefore, the petitioners have given representations on 30.05.2022 for regularisation and also for removing the land ceiling on payment of necessary fees as directed by this Court.

4. Counter has been filed by the respondents admitting that to the effect that the petitioners had made an application on 30.05.2022 under Innocent Buyers category and as the respondents failed to comply the statutory requirement as mentioned in G.O.Ms.No.649, Revenue dated 29.07.1998 and G.O.Ms.No.565, Revenue Department dated 26.09.2008, the petitioners have filed these writ petitions.

5. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials



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available on record.

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6. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

7. Such view of the matter, the respondents having admitted and also sought for dismissal of the writ petitions, this Court is of the view that since the petitioners' claim comes within the ambit of G.O.Ms.No.565, Revenue Department dated 26.09.2008, the third respondent is directed to consider the representation of the petitioner dated 30.05.2022, on its own merits and pass appropriate orders within a period of two months from the date of receipt of a copy of this Order.

8. With the above direction, these writ petitions are disposed of. No costs.

19.06.2024

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Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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To

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