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W.P. No.18502 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18502 of 2024

Thambi Raja

... Petitioner

Vs

- 1.The Government of Tamil Nadu
Rep. by its Secretary, Revenue Department
Fort St. George
Chennai - 600 009
- 2.The Principal Commissioner and Commissioner
of Land Reforms
Chennai - 600 005
- 3.The Assistant Commissioner/Competent Authority
Urban Land Ceiling Department
Poonamallee Taluk, Tiruvallur District
- 4.The Tahsildar
Poonamallee Taluk
Tiruvallur District

... 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 re-classify the said land from Government land to private land in the revenue



W.P. No.18502 of 2024

records in respect of land ad measuring about 1.34 Acre, comprised in Survey Nos.101 (0.28 Acre out of total extent of 5.92 Acre) and Survey No.102 Part (1.46 Acre out of total extent of 2.50 Acre) of Vayalanallur village, then Sriperumputhur Taluk, now Poonamallee Taluk, Tiruvallur District and also direct the 4th respondent to issue patta in the name of the petitioner in respect of the above said land.

For Petitioner : Mr.V.Ayyappa Raja

For Respondents : Mr.P.Sathish,
Addl. Govt. Pleader for R1 to R4

ORDER

This writ petition has been filed for a direction to the respondents herein to re-classify the land ad-measuring about 1.34 Acre, comprised in Survey Nos.101 (0.28 Acre out of total extent of 5.92 Acre) and Survey No.102 Part (1.46 Acre out of total extent of 2.50 Acre) of Vayalanallur village, then Sriperumputhur Taluk, now Poonamallee Taluk, Tiruvallur District from Government land to private land in the revenue records and for a further direction to the 4th respondent to issue patta in the name of the petitioner in respect of the above said lands.



W.P. No.18502 of 2024

WEB COPY

2. It is the case of the writ petitioner that the lands comprised in Survey Nos.101, 102 and 103/1A in Vayalanallur village, totalling to an extent of 16.0 Acres were the subject matter of acquisition under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. The said acquisition has been challenged by writ petitioner's vendor in W.P. No.1429 of 2003 and this court, by its order dated 27.03.2007, quashed the entire acquisition proceedings. That order has reached finality, as no appeal has been filed against that order. However, in the revenue records, the name of the Government is reflecting. The petitioner has made several representations to the respondents to re-classify the revenue records, that has not been done so. Hence this writ petition.

3. The learned Additional Government Pleader appearing for the respondents, on instructions would submit that no appeal has been filed as against the order passed in W.P.No.1429 of 2003, which quashed the entire proceedings under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978.

4. As the entire acquisition proceedings have been quashed, this court is of the view that the revenue records has to necessarily be re-classified and the



W.P. No.18502 of 2024

WEB COPY

name of the petitioner should be included. Hence there shall be a direction to the respondents to re-classify the lands from Government land to private lands in the revenue records and pass an order within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

09.07.2024

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

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W.P. No.18502 of 2024

5.The Government Pleader
High Court, Madras



WEB COPY



W.P. No.18502 of 2024

N.SATHISH KUMAR, J.

Asr

W.P. No.18502 of 2024

09.07.2024