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W.P.No.26189 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.26189 of 2024

1. Mr.M.Ramachandran
2. Mrs.Umasundari Ramachandran

...Petitioners

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Revenue Department ULC - I (1) WING,
Fort St. George, Chennai - 600 009.
2. The Commissioner,
Land Reforms / Urban Land Ceiling and Urban Land Tax,
Chennai - 600 005.
3. The Assistant Commissioner,
Urban Land Tax,
Chennai 600 088.
4. The Tahsilar,
Sholinganallur Taluk,
Chennai 600 119.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to give effect to order dated 29.11.2005 in W.P.No.21240 of 2003 and release the lands from proceedings under the Tamil Nadu Urban Land (Ceiling and



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Regulation) Act, 1978 and consequently direct the fourth respondent to issue patta in favour of the petitioners.

For Petitioner : Mr.M.S.Seshadri

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents 2 and 3 to give effect to the order dated 29.11.2005 passed by this Court in W.P. No. 21240 of 2003, whereby the Urban Land Ceiling proceedings initiated in respect of subject property has been quashed.

2. It is the case of the petitioner that land in Survey No.10/8 measuring 1 acre situated at Palavakkam Village, Chennai, was subject matter of Urban land Ceiling Proceedings. The petitioners' vendor Muthappan who was the owner of the property at the relevant point of time filed W.P. No. 21240 of 2003 and the same was allowed on 29.11.2005 quashing the notification issued under the Tamil Nadu Urban Land (Ceiling and Regulation) Act. As against the order dated 29.11.2005, a Writ Appeal was filed by the respondents with a delay of 3310 days and the same was dismissed on 21.04.2023. The



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first petitioner who purchased the property from the Muthappan, thereafter settled it in favour of the second petitioner. Therefore, the petitioners made a representation before the respondents 1 and 2 seeking issuance of patta in his name and the same has not been considered till date. Therefore, the petitioners have come by way of this petition.

3. When the Urban land Ceiling proceedings was quashed on 29.11.2005 by order passed in WP.No.21240/2003 and writ appeal filed against the said order in W.A.Sr.No.5031 of 2015 was also dismissed on 21.04.2023, there may not be any impediment for the respondents to consider the representation of petitioners dated 20.02.2024.

4. Therefore, this Court is inclined to issue a direction to the fourth respondent to consider the representation of the petitioners dated 20.02.2024 and pass necessary orders for issuance of patta, if the petitioners are found eligible, within a period of six weeks from the date of receipt of a copy of this order.



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

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

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S. SOUNTHAR, J.

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