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WP.No.34693 of 2024

In the High Court of Judicature at Madras

Dated : 25.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34693 of 2024

P.S.Sureshbabu

Vs

...Petitioner

1.The Government of Tamil Nadu,
rep.by its Secretary, Commercial
Taxes & Registration Department,
Fort St.George, Chennai-9.

2.The Inspector General of
Registration, Santhome High
Road, Chennai-28.

3.The District Registrar, Chennai
South, Chennai-15.

4.The Sub-Registrar, Avadi,
Chennai-54.

5.The Tahsildar, Avadi,
Chennai-54.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to consider and pass orders on the petitioner's representation dated 26.3.2018 followed by the reminder dated 13.11.2020 within a time frame that would be fixed by this Court.



WEB COPY



WP.No.34693 of 2024

For Petitioner : Mr.K.Venkatesan
For Respondents : Mr.M.Shahjahan, SGP

ORDER

The writ petition has been filed seeking a Mandamus to the second respondent to consider the petitioner's representation dated 26.3.2018 and the reminder dated 13.11.2020 within a time frame that would be fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The case of the petitioner is that the property bearing plot No.7, Sai Nagar Layout comprised in old S.No.420/12, new S.No.420/12B covered by patta No.3194, Morai Village, Ambattur Taluk, Ambattur Sub-Registration District, Registration District Chennai was acquired by him by way of a registered sale deed dated 12.11.1997 vide doc.No.4835 of 1997 on the file of the fourth respondent for a valid sale consideration. The petitioner filed an application on 12.9.2017 under the Right to Information Act to the Executive Engineer, Highways Department seeking to know as to whether the said property has been acquired by the Highways Department.



WP.No.34693 of 2024

Pursuant to that, the petitioner was given a reply on 10.10.1997 by the Divisional Engineer (Highways), C&M Division, Thiruvallur stating that the said property has been acquired for the purpose of road expansion. However, the said property has not been utilized for the purpose, for which, it was acquired.

4. Thereafter, the petitioner sent a representation dated 26.3.2018 to the second respondent seeking to determine the prevailing guideline value of the said property and to carry out correction in its classification from 'government land' to 'private land'. Since it did not evoke any response, the petitioner sent a reminder dated 13.11.2020 to the second respondent and this was also not responded. Hence the writ petition.

5. Despite receiving the representation dated 26.3.2018, the second respondent has not yet passed orders on the same. Therefore, the writ petition has been filed seeking the aforesaid relief. Ends of justice would be met if a direction is issued to the fifth respondent, who is the Competent Authority to consider the said representation.

6. Accordingly, the writ petition is disposed of with a direction to the petitioner to submit a copy of the said representation dated



WP.No.34693 of 2024

26.3.2018 to the fifth respondent for reclassification of the said property from 'government land' to 'private land', within a period of one week from the date of receipt of a copy of this order. On receipt of a copy of the said representation, the fifth respondent shall pass appropriate orders thereon within a period of three weeks therefrom. After necessary orders are passed by the fifth respondent, within a period of one week from the date of reclassification, the petitioner shall make a representation to respondents 1 to 4 to fix the guideline value and this representation shall be disposed of within a period of four weeks therefrom. No costs.

25.11.2024

To

- 1.The Secretary to Government
of Tamil Nadu, Commercial
Taxes & Registration Department,
Fort St.George, Chennai-9.
- 2.The Inspector General of
Registration, Santhome High
Road, Chennai-28.
- 3.The District Registrar, Chennai
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- 4.The Sub-Registrar, Avadi,
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WP.No.34693 of 2024

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WP.No.34693 of 2024

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