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WP.No.33393 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **01.07.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.33393 of 2022

M.Ramadoss

.. Petitioner

Versus

1. The District Collector, Collector's Office,
Singaravelan Maaligai, Chennai – 600 001.
 2. The District Revenue Officer, Chennai District,
Singaravelan Maaligai, Chennai – 600 001.
 3. The Tahsildar, Maduravoyal Taluk,
35G0, 554 T.N.Housing Board,
Ambattur Industrial Estate, Nolambur, Chennai – 600 037.
 4. The Assistant Commissioner,
Urband Land Tax : Poonamallee Zone,
No.5 Sannathi Street, Poonamallee, Chenna – 56.
 5. The Chairman, Tamil Nadu Housing Board,
M.T.B. Building, Anna Salai, Nandanam, Chennai – 35.
 6. The Chairman, Tamil Nadu Slum Clearance Board,
Beach Road, Chennai – 600 005.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third Respondent to consider the petitioners various representations and in particular the Application for Transfer of patta Dated 26.03.2018 and consequently directing the third



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Respondent to issue Patta for the land of 1200 sq.ft. in Survey No.300 / 3A9 Maduravoyal village Chennai District in favour of Petitioner on the basis having bought the same by Sale Deed Document No. 4073 of 1996 dated 21.8.1996 (SRO Virugambakkam) from Tmt. R.Brinda and having put up a building thereon in 1999 stipulating a date by this court for the purpose.

For Petitioner : Mr.T.K.S.Gandhi

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate – R1 to R4

Mr.A.M.Ravindranath Jayapaul – R5

Mr.G.Venkatesan – R6

ORDER

This writ petition is filed to direct the third Respondent to consider the petitioners various representations and in particular the Application for Transfer of patta Dated 26.03.2018 and consequently directing the third Respondent to issue Patta for the land of 1200 sq.ft. in Survey No.300 / 3A9 Maduravoyal Village, Chennai District in favour of the petitioner within the time stipulated by this Court.

<https://www.mhc.tn.gov.in/judis> 2. Heard learned counsel appearing for the petitioner and the learned



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Government Advocate appearing for the respondents 1 to 4 and the learned Standing Counsel appearing for the fifth respondent and the learned counsel appearing for the sixth respondent and perused the materials available on record.

3. It is the case of the petitioner that he purchased 1200 sq.ft. of land in survey No.300/3A9, Maduravoyal Village by a sale deed dated 21.08.1996 and patta has been issued to the vendor of the petitioner. The petitioner had also constructed a house after obtaining approval from Chennai Metropolitan Authority and residing there from 1999. Since the patta is in the name of the vendor of the petitioner, the petitioner took several steps to get the revenue records mutated in his name and given several representations for issuance of patta in the name of the petitioner. However, the same has not been considered by the respondents. Hence, the present Writ Petition.

4. It is the stand of the fourth respondent that the land to an extent of 8500 sq.ft. has been acquired and hence, the petitioner cannot claim patta in the aforesaid land.

5. The fifth respondent has filed a counter to the effect that the property in survey No.300/3A is not covered under the land acquisition proceedings by



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the TamilNadu Housing Board and they have no right over the said property.

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6. The third respondent has filed a counter to the effect that 8500 sq.ft. alone has been acquired in the year 1978. If the petitioner has purchased a portion of the land coming under the said 8500 sq.ft., the petitioner has to apply to the fourth respondent under the Innocent Buyers category.

7. The learned Government Advocate appearing for the respondents would submit that the petitioner is an innocent purchaser and he will come within the ambit of G.O.No.585 of 2008 dated 28.09.2008 and if the petitioner has purchased the land within the time as stipulated under the said Government Order, he has to approach the fourth respondent for exemption.

8. At this stage, the learned counsel appearing for the petitioner submitted that they will approach the fourth respondent by way of an application for getting exemption.

9. In such view of the matter, let the petitioner approach the fourth respondent for regularizing his purchase under the innocent purchasers scheme as per the Government Order in G.O.No.585 of 2008 dated 28.09.2008. On



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such application being made, the fourth respondent shall pass an Order in terms of the Government Order in G.O.Ms.No.585 of 2008, dated 28.08.2008 within a period of two months thereafter. If the petitioner succeeds in getting regularization, the third respondent shall effect patta transfer in the name of the petitioner within a period of three months thereafter.

10. With the above direction, this writ petition is disposed of and the impugned Order passed by the second respondent dated 21.03.2024 is quashed.
No costs.

01.07.2024

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

To,

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No.5 Sannathi Street, Poonamallee, Chenna – 56.

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