



WP.No.37209 of 2024

In the High Court of Judicature at Madras

Dated : 11.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37209 of 2024

K.Babu, rep.by power of
attorney E.Krishnasamy

Vs

...Petitioner

1.State rep.by the Secretary to
Government, Revenue &
Disaster Management Department,
ULC[1(2)] Wing, Secretariat,
Chennai-9.

2.The Special Commissioner &
Commissioner (Urban Land
Ceiling & Urban Land Tax),
Commissionerate of Urban Land
Ceiling & Urban Land Tax,
Chepauk, Chennai-5.

3.The Assistant Commissioner (Land
Reforms & Urban Land Tax),
Office of the Assistant Commissioner
(Land Reforms & ULT), Coimbatore
District Collector Office,
State Bank Road, Gopalapuram,
Coimbatore-18.

...Respondents

PETITION under Article 226 of The Constitution of India praying
for the issuance of a Writ of Mandamus directing respondents 1 to 3 to
consider the undated representation/requisition form given by the



WP.No.37209 of 2024

petitioner and the subsequent representations dated 30.9.2016 and 20.5.2022 to the respondents for regularization of the land situated in Coimbatore Registration District, Singanallur Sub Registration District, Uppillipalayam Village in survey Nos.295/1A2 and 296 for extent of 2,712 1/2 sq.feet in site No.19, Thulasiyammal Layout -2 under the Innocent Buyer Category as per G.O.Ms.No.565 dated 26.9.2008.

For Petitioner : Mr.R.Amardeep for
M/s.Tamizh Law Firm
For Respondents : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the respondents to consider his representations for regularization of the land measuring 2712 1/2 sq.ft., site No.19, Thulasiyammal Layout-2 in S.Nos.295/1A2 and 296, Uppilipalayam Village, Coimbatore District, the petitioner is before this Court.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The affidavit is sworn to by the petitioner's power of attorney, who is none other than his father, wherein it has been stated that he



WP.No.37209 of 2024

owned the property in S.Nos.295/1A2 and 296 measuring 3,538 sq.ft. at Uppilipalayam, Coimbatore District vide two registered documents namely doc.No.249 of 1979 dated 07.2.1979 and doc.No.55 of 1981 dated 21.1.1981. He settled a part of the said property in favour of his son - the petitioner vide settlement deed dated 14.6.2000 registered as doc.No.2163 of 2000. They are living as a joint family since 1979.

4. The said properties were purchased being totally unaware of the urban land ceiling proceedings. Therefore, in view of G.O.Ms.No.565 Revenue Department dated 26.9.2008, in and by which, the lands purchased by the innocent purchasers were permitted to be regularized from 03.8.1976, the petitioner made a request for regularizing the said purchases under the Innocent Buyer Category. The third respondent issued a notice dated 20.1.2009 requiring the petitioner to appear for an inquiry on 27.1.2009. The petitioner's father also attended the inquiry on 27.1.2009. However, no orders were passed on the same thereafter, despite several representations of the petitioner. The petitioner also undertook to pay the amount fixed by the Authority concerned. Even thereafter, no action was taken. Hence the writ petition.



WP.No.37209 of 2024

5. Though the petitioner made a request as early as 2009 and also attended the inquiry on 27.1.2009 before the third respondent, no orders have been passed to date.

6. Hence, the writ petition is allowed and a Mandamus is issued to the respondents to consider the representation of the petitioner dated 20.5.2022 for regularization of the property measuring 2712 1/2 sq.ft., site No.19, Thulasiyammal Layout-2 in S.Nos.295/1A2 and 296, Uppilipalayam Village, Coimbatore District pursuant to G.O.Ms.No.565 Revenue Department dated 26.9.2008 under the Innocent Buyer Category and pass appropriate orders within a period of three months from the date of receipt of a copy of this order. No costs.

11.12.2024

To

- 1.The Secretary to Government,
Revenue & Disaster Management
Department, ULC[1(2)] Wing,
Secretariat, Chennai-9.
- 2.The Special Commissioner &
Commissioner (Urban Land
Ceiling & Urban Land Tax),
Commissionerate of Urban Land
Ceiling & Urban Land Tax, Chennai-5.



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WP.No.37209 of 2024

P.T.ASHA,J

RS

3.The Assistant Commissioner (Land Reforms & Urban Land Tax),
Office of the Assistant Commissioner
(Land Reforms & ULT), Coimbatore
District Collector Office,
State Bank Road, Gopalapuram,
Coimbatore-18.

WP.No.37209 of 2024

11.12.2024