



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5565 of 2025

S.Premavathy

... Petitioner

Vs.

1.The Principal Commissioner,
Commissioner of Land Reforms,
Chepauk, Chennai 600 005

2.The Competent Authority (Urban Land Ceiling)
and the Assistant Commissioner of Urban Land Tax,
Kundrathur,
No.153, Karuneegar Street,
Adambakkam, Chennai 600 088.

3.The Tahsildar,
Maduravayal Taluk,
Thiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to consider the application dated 22.01.2018 of the petitioners under Innocent purchase Scheme and consequently directly the 3rd respondent to issue patta to the petitioner for her property situated at Plot No 14 Venkateswarar Nagar comprised in Survey no 51/2, Porur Village, presently in Maduravayol Taluk without insisting for the outcome of writ appeal proceedings filed by the respondent before this Court in WA Sr No.9957/2016.



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For Petitioner : Mr.N.Baaskaran

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st and 2nd respondents to consider the application submitted by the petitioner on 22.01.2018, wherein, the petitioner is seeking for bringing her within the Innocent Purchaser Scheme as contemplated under G.O.Ms.No.565, dated 26.09.2008.

2.Heard Mr.N.Baaskaran, learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of respondents 1 to 3.

3.The case of the petitioner is that she purchased the subject property through a registered Sale Deed dated 21.04.1986. In the meantime, the 2nd respondent had already passed an order dated 19.02.1996 under Section 9(5) of the Urban Land (Ceiling and Regulation) Act, 1976. Thereafter, under Section 11 (5), notice was also issued dated 30.10.1998 in the name of the previous owner and a direction was given to deliver possession of the property. The petitioner and the other land owners filed writ petition



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in W.P.No.21917 of 2003 etc., and this Court passed the common order dated 19.03.2013, whereby, the order passed by the 2nd respondent was quashed. Thereafter, the petitioner had filed a petition under the Innocent Purchaser Scheme for regularization of the purchase of the house site under G.O.Ms.No.565, dated 26.09.2008. The petition was processed by the 2nd respondent and the petitioner was also called for an enquiry in the year 2018. Thereafter, there was absolutely no progress, since a writ appeal was filed and it continues to be in the S.R. stage since it was filed with delay. It is under these circumstances, the present writ petition has been filed before this Court.

4.Taking into consideration the facts and circumstances of the case and the materials placed before this Court, there shall be a direction to the 1st and 2nd respondents to deal with the application submitted by the petitioner on 22.01.2018 on its own merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st and 2nd respondents along with all the relevant documents and also a copy of this order.



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N. ANAND VENKATESH, J.

SSR

5.This writ petition is disposed of with the above directions. No Costs.

24.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

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