



W.P.No.10590 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :22.01.2025

CORAM:

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.10590 of 2023

M.Mala

... Petitioner

Vs

1.The Assistant Commissioner (Urban Land Tax),
Poonamallee Zone,
Poonamallee, Chennai-600 056.

2.The Collector,
Tiruvallur,
Pincode-602 001.

3.The Tahsildar,
Avadi Taluk,
Avadi,
Chennai-600 054.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in L.D.No.1295/2022/C, dated 04.01.2023 and quash the same and direct



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the respondents to grant Patta to the petitioner for her property, namely Plot No.47-A, Jain Nagar of an extent 1400 Sq.ft., comprised in Survey No.257, Ayapakkam Village, present Avadi Taluk, Tiruvallur District as done in the case of the Petitioners in Writ Petition Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015, 3554 to 3556 of 2015.

For Petitioner : Mr.P.Rajendran
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition is filed for a Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in L.D.No.1295/2022/C, dated 04.01.2023 and quash the same and direct the respondents to grant Patta to the petitioner for her property, namely Plot No.47-A, Jain Nagar of an extent 1400 Sq.ft., comprised in Survey No.257, Ayapakkam Village, present Avadi Taluk, Tiruvallur District as done in the case of the Petitioners in Writ Petition Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015, 3554 to 3556 of 2015.



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2. The petitioner is the owner of Plot No.47-A, Jain Nagar to an extent of 1400 sq.ft., comprised in Survey No.257, Ayapakkam Village, present Avadi Taluk. The said property is part of a larger extent of 4.68 acres of land which belonged to Tmt.Mohana Bai who formed a layout in the name of Jain Nagar and it was duly approved by the Deputy Director of Town Planning, in LPDM/DDTP No.45 of 1974 and thereafter, all the house plots were sold out to various persons. Patta was not issued to any of the plot owners on the ground that the above said lands which belonged to the above said person were subject matter of Urban Land Ceiling proceedings. Some of the plot owners approached this Court and filed Writ Petitions in W.P.Nos.1665 to 1672 of 2015, 3574 to 3550 of 2015, 3554 to 3556 of 2015 for a direction to the respondents to refrain from pursuing any action initiated under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 in respect of their lands in Survey No.257, Ayapakkam Village on the ground that actual and physical possession of the lands



were not taken from the said Mohanabai or from the subsequent purchases before the repeal of the Urban Land Ceiling Act which was repealed on 18.03.1999. The said writ petitions were allowed on 14.09.2021. The 3rd respondent issued pattas to them in and by his proceedings dated 16.11.2022. She submitted a representation to the respondents on 22.12.2022 requesting for grant of pata for her property as done in the case of the petitioners in the above said writ petitions.

3. Heard the learned counsels on either side.

4. It is seen that on 16.11.2022, the 3rd respondent has issued patta to similarly placed persons, whose writ petitions have been allowed. Therefore, in the light of the above, this petitioner who is similarly placed is also entitled to similar relief and the same order shall be passed in the case of the present writ petitioner and the 3rd respondent is directed to issue patta to the petitioner within a period of two weeks from the date of receipt of a copy of this order.



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5. With the above directions, this writ petition is allowed. There shall be no order as to costs.

22.01.2025

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To

1.The Assistant Commissioner (Urban Land Tax),
Poonamallee Zone,
Poonamallee, Chennai-600 056.

2.The Collector,
Tiruvallur,
Pincode-602 001.

3.The Tahsildar,
Avadi Taluk,
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