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WP.No.22990 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2025

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THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

WP.No.22290 of 2025

1.Lysa Josephine
2.Kamala Mary @ Kamala Mani Petitioners

Vs

1.The Principal Secretary/Commissioner,
Urban Land Ceiling and Urban Land Tax,
Chepauk, Chennai 600 005
2.The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,
Egmore Zone, 3rd Floor, No.130,
R.K.Mutt Road, Mylapore,
Chennai 600 004
3.The Tahsildar,
Ayanavaram Taluk,
Chennai 600 012 Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to delete the name of 'Government of Tamil Nadu' entered in the revenue records of Plot No.339, Second Main Road, Baba Nagar, Villivakkam, Chennai- 600 049, comprised in Old Survey Nos.226/1 and 226/2, New Survey Nos.226/ 1 PT, 2BPT, admeasuring an extent of 3544 Sq. ft., of land in



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Block No.27, Konnur village, Ayanavaram Taluk, as the owners thereof and in pursuance, direct the 3rd respondent ie., Tahsildhar (Ayanavaram Taluk) to issue patta/ TSLR in the name of petitioner herein.

For Petitioners : Mr.G.Abraham Prabhu

For Respondents : Mr.D.Ravichander,
Special Government Pleader

ORDER

This Writ Petition has been filed for direction to the respondents to delete the name 'Government of Tamilnadu' entered in the revenue records in respect of plot No.339, Second Main Road, Baba Nagar, Villivakkam, Chennai comprised in Old Survey Nos.226/1 and 226/2, New Survey Nos.226/ 1 PT, 2BPT, admeasuring an extent of 3544 Sq. ft., of land in Block No.27, Konnur village, Ayanavaram Taluk.

2. A large extent of the property concerned belongs to the Sree Baba Co-operative House Site Society Limited having purchased by the registered sale deeds dated 30.03.1964 and 30.01.1965 vide document Nos.1106 of 1964 and 288 of 1965. Thereafter it developed the said property into house sites by obtaining due approval from the Director of Town and



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Country Planning vide DTP/TP.No.41/1964. The petitioner's father had purchased the subject property from the approved layout by the registered sale deed dated 07.05.1965 registered vide document No.1691 of 1965. After his demise, his legal heirs including the petitioner succeeded the subject property and they became the joint owners of the subject property. In order to develop the subject property and to settle the same in favour of the children, the petitioner submitted settlement deed for registration. However, it was rejected for the reason that the subject land is coming under the 'urban land ceiling'. It was challenged before this Court in WP.No.4647 of 2016 and the same was allowed by order dated 17.03.2016. Even then, the second respondent did not issue no objection certificate to the third respondent when the petitioner applied for patta. Likewise, the adjacent land owners for plot No.368 comprised in survey No.226/1 Part had also filed writ petition before this Court in WP.No.35063 of 2019 to delete the entries of Government of Tamilnadu in the revenue records and for issuance of patta. By an order dated 31.01.2022, this Court allowed the writ petition and observed that even before enactment of Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 (hereinafter called as 'the Act'), the said land was



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sold out to Sree Baba Co-operative House Sites Society Limited and subsequently sold in favour of the respective plot owners. Even then, the second respondent failed to issue any no objection certificate and the third respondent refused to issue patta. Only after initiation of contempt proceedings, the third respondent had issued patta for the plot No.368. In fact, the order passed by this Court was also confirmed by the Hon'ble Division Bench of this Court in WA.No.1698 of 2023 by an order dated 18.07.2023.

3. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

4. On perusal of the counter filed by the respondents and on hearing the submissions of the learned Special Government Pleader appearing for the respondents, it is revealed that the acquisition proceedings was initiated in respect of the property comprised in survey no.226/1, Konnur Village, Chennai to an extent of 2700 sq.mtrs stood in the name of one, Bojammal as per the revenue records. Leaving 500 sq. mtrs. of vacant



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land as family entitlement portion. Subsequently, the land to an extent of 2200 sq.mtrs. was notified as excess. The notice under Section 7(2) of the Act was issued to the land owners on 14.05.1987. However, there was no objections from the original land owners or subsequent purchasers. Notices under Sections 9(4), 9(1) and 9(5) of the Act were issued to the original land owner. The revenue records stand in the name of the original land owner Bojammal. Thereafter, notification under Section 11(1) of the Act was issued on 27.09.1991 and published in the Tamilnadu Government Gazette dated 18.12.1991. Thereafter, the subject land was notified as excess and published the gazette on 18.11.1993. Though notice was sent under Section 11(5) of the Act to the original owner, it was returned. However, similar writ petition was allowed by this Court in WP.No.35063 of 2019 and the same was confirmed by the Hon'ble Division Bench of this Court in WA.No.1698 of 2023 only on the ground that even before the enactment of the Act, the subject land was sold out in favour of Sree Baba Co-operative House Sites Societies Limited and subsequently it was laid out and approved by the Director of Town and Country Planning vide DTP/TP.No.41/1964. Thereafter, the petitioner's father had purchased to an extent of 3544 sq.ft.



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Therefore, urban land ceiling, if any, cannot be sustained since even before the commencement of the Act, the subject land was sold out.

5. In view of the above, if any acquisition proceedings made in respect of the subject and, the entire acquisition proceedings stands lapsed in view of the provision under Section 4 of Urban Land (Ceiling and Regulation) Repeal Act, 1999 since the petitioner's father was in continuous possession of the subject property until his demise. Now, the legal heirs, including the petitioner, are in possession and enjoyment of the subject property. Moreover, the adjacent plot owners were issued patta by removing the name 'Government of Tamilnadu' entered in the revenue records.

6. Accordingly, the respondents are directed to delete the name 'Government of Tamilnadu' entered in the revenue records in respect of Plot No.339, Second Main Road, Baba Nagar, Villivakkam, Chennai- 600 049, comprised in Old Survey Nos.226/1 and 226/2, New Survey Nos.226/ 1 PT, 2BPT, admeasuring an extent of 3544 Sq. ft., of land in Block No.27, Konnur village, Ayanavaram Taluk and the third respondent is



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directed to issue patta in respect of the same to the petitioner within a period of four weeks from the date of receipt of this order.

7. In the result, this writ petition stands allowed. There shall be no order as to costs.

22.10.2025

(2/2)

Neutral citation :Yes/No
Index:Yes/No
Speaking/Non speaking
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To

- 1.The Principal Secretary/Commissioner,
Urban Land Ceiling and Urban Land Tax,
Chepauk, Chennai 600 005
- 2.The Assistant Commissioner,
Urban Land Ceiling and Urban Land Tax,
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- 3.The Tahsildar,
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- 4.The Government Advocate,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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