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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFIQ

W.P.No.21836 of 2025

Mrs. Gunasundari Ranganathan
vs

.. Petitioner

1. The State of Tamil Nadu, represented
by its Secretary to Government,
Revenue and Disaster Management
Department, Secretariat,
Chennai 600 009.
2. The Additional Chief Secretary/
Commissioner of Urban Land Ceiling
and Urban Land Tax, O/o. the
Commissionerate of Urban Land Tax,
Ezhilagam, Chepauk, Chennai-5
3. The Assistant Commissioner,
Urban Land Tax,
Thandayarpetta Zone,
4th Floor, Kuralagam,
Chennai 600 108.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus directing the 2nd respondent
to consider the claims of the petitioner and pass orders on the
representation of the petitioner dated 05.04.2025 within a reasonable time



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in regard to regularisation of innocent purchaser's land as per the Government Order in G.O.(Ms.) No.565, Revenue (Na.Ni.U 1(1)) Department, dated 26.09.2008 and based on the recommendation of the 3rd respondent in letter Na.Ka.No.A3/587/2020, dated 22.12.2020 and also based on the similarly placed persons land regularisation orders in Na.Ka.No.5211/2015 (J3), dated 20.09.2016 and Na.Ka.No.1527/2016 (J3), dated 06.01.2020 of the 2nd respondent.

For Petitioners : Mr. K. Arumugam

For Respondent : Mr.A. Selvendran, Spl. G.P.
for R1 to R3

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The present writ petition is filed praying for issuance of a Writ of Mandamus directing the 2nd respondent to consider the claims of the petitioner and pass orders on the representation of the petitioner dated 05.04.2025 within a reasonable time as per the Government Order in G.O.(Ms.) No.565, Revenue (Na.Ni.U 1(1)) Department, dated



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26.09.2008 and based on the recommendation of the 3rd respondent in letter Na.Ka.No.A3/587/2020, dated 22.12.2020 and also based on the regularisation orders issued to similarly placed persons land in Na.Ka.No.5211/2015 (J3), dated 20.09.2016 and Na.Ka.No.1527/2016 (J3), dated 06.01.2020 of the 2nd respondent.

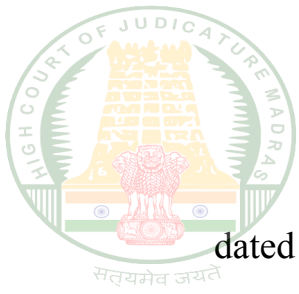
3. The learned counsel for the petitioner submitted that the petitioner purchased a plot in Old T.S.No.12/1, 12/1C and 12/1D and New T.S.No.12/10, Block No.3, Plot No.11 measuring an extent of 2602 sq.ft in Sembium Village, Madhavaram High Road, Perambur Taluk from one M.Subramaniam in the year 1980. On purchase of the said land, the petitioner constructed a house and has been in possession and occupation of the said building. It is stated that after a while, the petitioner's adjacent land owner had taken out an application with the Tahsildar, Perambur Taluk, Chennai on 16.02.2012 for issuance of patta for his land. The Tahsildar had rejected the abovesaid request on the premise that the land was coming under the Land Ceiling Act and thereby directed him to first get No Objection Certificate from the Land Ceiling Authority and thereafter, fresh application for issuance of patta has been made. It



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is further submitted that the adjacent land owner has been issued with a land regularisation order in Na.Ka.No.5211/2015 (J3), dt.20.09.2016 and patta has also been issued in his name by the Tahsildar, Perambur on the basis of the order passed by this Court in W.P.No.5824 of 2016.

4. It is also stated that few other adjacent land owners have also been issued with regularisation of their land in terms of GO.Ms.565 dated 26.09.2008 pursuant to the directions of this Court in the writ petitions filed by them in WP.No.28700 of 2018 and WP.10789 of 2023. The petitioner had submitted an application seeking regularisation of the land in terms of GO.Ms.565, dated 26.09.2008 on 31.10.2020 before the 3rd respondent. The petitioner was instructed to produce the documents and appear in person within 15 days. The petitioner appeared as directed by the 3rd respondent, who in turn, has forwarded a detailed report to the second respondent vide proceedings dated 22.12.2020, wherein, it has been recommended to regularise the petitioner's land. The petitioner, thereafter approached this court by filing WP.1623 of 2021 seeking a direction to consider the petitioner's application dated 31.10.2020 and pass orders directing the 2nd respondent to consider his application dated 31.10.2020 in terms of G.O.Ms.565



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dated 26.09.2008. In the above writ, this Court, vide order dated 27.01.2021, directed the petitioner's representation to be disposed of within a period of six weeks.

5. Pursuant to the above orders of this court, the petitioner was directed to appear in person before the 3rd respondent on 18.02.2021. Accordingly, the petitioner appeared before the 3rd respondent on 18.02.2021 and produced relevant documents, however, no orders have been passed. Hence, the petitioner made a representation to the respondents on 05.04.2025 requesting to regularise petitioner's land and issue patta in her favour based on the report submitted by the 3rd respondent dated 22.12.2020, however, there is no response from the respondents. It is in these circumstances, the petitioner had approached this Court.

6. When this court pointed out that the direction given by this Court in WP.No.1623 of 2021 has not been complied with, the learned Addl. Govt. Pleader for the respondents submitted that the petitioner's representation dated 05.04.2025 would be considered and appropriate orders would be passed after hearing the petitioner and other interested



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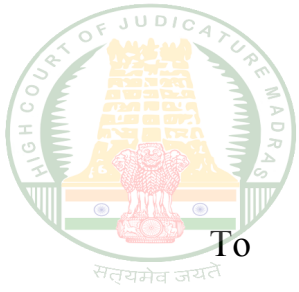
parties within a time frame fixed by this Court, which was agreed to by the learned counsel for petitioner.

7. In view of the same, taking into consideration the facts and circumstances of the case, there shall be a direction to the 2nd respondent to consider the representation dated 05.04.2025 on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and any other interested persons/stake holders, including rival claimants, if any, within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

8. With the above direction, this Writ Petition is disposed of. No costs.

20.06.2025

msr
Index:yes/no
Internet:yes/no
speaking order/non-speaking order.



To

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Revenue and Disaster Management
Department, Secretariat,
Chennai 600 009.
2. The Additional Chief Secretary/
Commissioner of Urban Land Ceiling
and Urban Land Tax, O/o. the
Commissionerate of Urban Land Tax,
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3. The Assistant Commissioner,
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MOHAMMED SHAFFIQ, J.

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