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W.P.No.26384 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2025

CORAM:

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

W.P.No.26384 of 2019
W.M.P.No.25744 of 2019

I.Eahilarasan

...Petitioner

-Vs-

1. The State of Tamil Nadu,
Rep. By Additional Chief Secretary to Government.
Revenue and Disaster Management Department,
ULC Wing, ULC[1(2)] Section, Secretariat,
Fort St. George, Chennai – 9.

2. The Principal Secretary to Government,
Revenue Department, Fort St. George,
Chennai.

3. The Principal Secretary,
Urban and Housing Department,
Fort St. George, Chennai.

4. The Chairman,
Tamil Nadu Slum Clearance Board,
Chennai.

5. The Commissioner,
Urban Land Ceiling & Urban Land Tax Department,
Ezhilagam, Chepauk,
Chennai.

6. The Assistant Commissioner,
Urban Land Ceiling & Urban Land Tax Department,
Tambaram, Karuneeagar Street,
Adambakkam, Chennai – 88.



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7. The Tahsildar,
Tambaram Taluk,
Kancheepuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records of the first respondent ending with Letter No.9419/ULC-I(2)/2019-4 dated 10.07.2019 and quash the same and consequently direct the first respondent to regularize the purchase of land being plot No.4 in S.No.412/2, situate in S.No.167, New No.28, Perungalathur Village, Meera Nagar, Lay out near Venkateswara Nagar, measuring 2,400/- Sq.ft., as sought vide application dated 31.12.2010.

For Petitioner	: Mr.N.A.Nissar Ahmed, Senior Counsel For Mr.N.A.Nissir Hussain
For Respondents For R1 to R3 & 5 to 7	: Mr.N.Naveen Kumar Government Advocate
For R4	: Mrs.G.Thilagavathi, Senior Counsel For Mr.G.Venkatesan, Standing Counsel

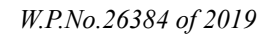
ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 10.07.2019, thereby rejecting the request made by the petitioner seeking relief under G.O.(Ms)No.565 Revenue Department dated 26.09.2008, innocent buyer's scheme.



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2. The petitioner purchased a property bearing plot No.4 to an extent of 2400 sq.ft., situated at No.167, New No.28, Perungalathur Village, Meera Nagar Layout near Venkateswara Nagar, by the registered sale deed dated 27.07.2006 vide document No.4339 of 2006. The petitioner had purchased the said property on bonafide belief that the petitioner's vendor had valid title over the said property. Thereafter, the petitioner came to understand that the subject property and a large extent had been hit by the provisions of Tamil Nadu Urban Land (Ceiling & Regulation) Act, 1978 (hereinafter referred to as "the Act"). Further, the final notification under Section 11 of the Act was published in the government gazette on 21.02.1990 and the same was served to the respective land owners on 29.05.1992 as contemplated under Section 12(7) of the Act. Subsequently, the Act itself was repealed on 16.06.1999 by the Act 20 of 1999. Pursuant to the same, the government passed an order in G.O.Ms.No.565 Revenue Department dated 26.09.2008 to protect the innocent purchasers/buyer of the lands hit by the provisions of the Act, by regularizing the purchase of land on payment of amount fixed in the government order. Therefore, the petitioner submitted representation to consider his case under the innocent purchaser scheme and the same was rejected by the impugned proceedings. Hence, this Writ Petition.



5. On perusal of the counter filed by the sixth respondent, it is revealed that one Chandala Veerabadhra Rao had filed a return under Section 7(1) of the Act for the land held by him in Survey No.412/2pt of Perungalathur Village. A notice under Section 9(4) of the Act along with draft statement under Section 9(1) of the Act was issued on 21.01.1983 and the same was served on the urban land owner on 27.01.1983. The urban land owner appeared for enquiry on 24.09.1983 and filed statement stating that, he had no objection for the proposed acquisition of 15200 sq.mts., of excess vacant land after allowing 2000 sq.mts., towards family entitlement and it was sent by RPAD and served on 18.07.1989. Final

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statement under Section 10(1) of the Act was also issued on 31.08.1989, which was sent by RPAD and returned undelivery with the remarks as “Left”. The notification under Section 11(1) of the Act was published in Tamil Nadu Government Ganette on 03.01.1990 and the notification under Section 11(3) was published in Tamil Nadu Government Gazettee on 21.02.1990 vesting the land with the government with effect from 21.02.1990. Notice under Section 11(5) of the Act was issued on 28.02.1990 and served on 07.04.1990 by RPAD. The possession of the excess vacant measuring 15200 sq.mts., was taken over from the urban land owner and the same was handed over to Revenue authorities on 06.08.1992. Order under Section 12(6) of the Act was issued on 30.05.1997 fixing the sum of Rs.15200/- as the amount payable under Section 12(6) of the Act and sent by RPAD and the same was returned as “no such addressee”. Then the above excess vacant land was allotted to the Tamil Nadu Slum Clearance Board vide G.O.Ms.No.484 Revenue dated 06.11.2001. The Tamil Nadu Slum Clearance Board duly accepted the transfer and acknowledged the possession handed over to them and paid a sum of Rs.21,280/- as land value which was remitted to the government account on 10.03.2006. Therefore, the possession of the subject property was already taken over and handed over in favour of the fourth respondent.



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To

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State of Tamil Nadu,
Revenue and Disaster Management Department,
ULC Wing, ULC[1(2)] Section, Secretariat,
Fort St. George, Chennai – 9.

2. The Principal Secretary to Government,
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3. The Principal Secretary,
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7. The Tahsildar,
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G.K.ILANTHIRAIYAN. J,

rts

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