



W.P.No.1044 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.1044 of 2025
W.M.P.No.1296 of 2025

1.E.Manohar Babu

2.Anitha Manohar

...Petitioners

Vs

1.The Special Commissioner & The Commissioner,
Urban Land Ceiling and Urban Land Tax,
Ezhilagam, Chepauk, Chennai – 600 005.

2.The Assistant Commissioner
Urban Land Ceiling and Urban Land Tax,
Sannathi Street, Adambakkam, Alandur,
Chennai – 600 016.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue Writ of Certiorarified Mandamus, calling for the entire records of the proceedings of the 2nd respondent in Na.Ka.No.B/732/2024 dated 08.10.2024 and quash the same and consequentially direct the 2nd respondent to extend the benefits of the “Innocent Purchasers Scheme” to the petitioners under the



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G.O.Ms.No.565, Revenue and Disaster Management Department
(Na.Ne.U1(2) dated 26.09.2008.

For Petitioners : Mr.V.Srikanth

For Respondents : Mr.A.Selvendran (For R1 & R2)
Special Government Pleader

ORDER

The Writ Petition has been filed for the following reliefs:-

To call for the entire records of the proceedings of the 2nd respondent in Na.Ka.No.B/732/2024 dated 08.10.2024 and quash the same and consequentially direct the 2nd respondent to extend the benefits of the “Innocent Purchasers Scheme” to the petitioners under the G.O.Ms.No.565, Revenue and Disaster Management Department (Na.Ne.U1(2) dated 26.09.2008.

2.It is the contention of the learned counsel for the petitioners that the first petitioner is the owner of the plot No.1C, Block "C", measuring 1709 sqft in Parasuram Avenue, 1st street, BHEL Nagar, Medavakkam, Chennai – 600 100. The first petitioner settled the said property in favour of his daughter Anitha Manohar, the second petitioner herein, through a registered settlement deed dated 28.07.2010 vide Doc.No.5557 of 2010



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on the file of SRO Joint – I, Saidapet. It is the further submission of the learned counsel for the petitioners that in order to carryout mutation in the revenue records, the first petitioner approached the Tahsildar, Tambaram, to transfer patta in his name. However, he came to learn that the said property has been ear marked as ceiling land. Thereafter, the first petitioner gave a representation dated 06.08.2024 to the respondents. Consequently, the impugned order came to be passed by the second respondent. Aggrieved by the same, the petitioners are before this Court.

3.Heard the learned counsels on either side and perused the records. Mr.A.Selvendran, the learned Special Government Pleader takes notice on behalf of the respondents.

4.Accordingly, the Writ Petition is allowed and the impugned order of the 2nd respondent in Na.Ka.No.B/732/2024 dated 08.10.2024 is set aside. The second respondent is directed to consider the petitioner's representation dated 06.08.2024 in tune with G.O.Ms.No.63 dated 27.01.2020, wherein, the Government has observed as follows:-

8.....Accordingly, the Government direct that all the transactions done through registered deed by the



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Innocent Buyer and not the original land owner where the land was acquired under the erstwhile Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 [Tamil Nadu Act No.24 of 1978] (i.e) through Settlement Deed, Partition Deed, Gift Deed, Release Deed, Exchange Deed, etc., can be considered for the regularization under the Innocent Purchasers scheme, subject to the criterion that a sale should have been effected before the land is settled in favour of any person for valuable consideration or gifted or released or partitioned or Settled or Exchanged to the present petitioner through a valid registered deed and petition received from the Innocent Purchasers be entertained after scrutiny and verification of the genuineness of the transaction.

5.Since the petitioners falls within the said category, the second respondent shall pass orders within a period of four weeks from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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To

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