



W.P.No.260 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 09.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.260 of 2025

M.Chandran

.... Petitioner

Vs

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai – 600 009.

2.The Commissioner,
Urban Land Tax and Urban Land Ceiling,
Ezhilagam,
Chepauk,
Chennai – 600 005.

3.The Assistant Commissioner,
Urban Land Tax and Urban Land Ceiling
Madhavaram Division,
No.2, Vivek Nagar,
Kolathur, Chennai – 600 099.

.... Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondents to pass orders on the application submitted by the petitioner dated 29.12.2023 and subsequent enquiry by



W.P.No.260 of 2025

the third respondent in Na.Ka.No.E.No.006/2024 dated 12.01.2024 to the petitioner to regularized the land, house site No.38-A, of an extent of 900 sq.ft. comprised in S.No.903 part Srinivasa Nagar, Madhavaram, Chennai – 600 060 under the innocent purchaser category in terms of Government within a time frame to be fixed by this Court.

For Petitioner : Mr.M.Jaisingh
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for the following relief :

“praying to direct the respondents to pass orders on the application submitted by the petitioner dated 29.12.2023 and subsequent enquiry by the third respondent in Na.Ka.No.E.No.006/2024 dated 12.01.2024 to the petitioner to regularized the land, house site No.38-A, of an extent of 900 sq.ft. comprised in S.No.903 part Srinivasa Nagar, Madhavaram, Chennai – 600 060 under the innocent purchaser category in terms of Government within a time frame to be fixed by this Court.”

2. It is the case of the petitioner that on 12.12.2018, the petitioner had purchased the house site from Nirmala Devi and three others under a registered sale deed. Since the date of purchase, the petitioner has been in



W.P.No.260 of 2025

possession and enjoyment of the same.

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3. The petitioner would submit that the property originally belonged to one Mythili Ammal, who had got the property, by way of a registered partition deed. On 07.03.1990, after the demise of the said Mythili Ammal, her sons, M.C.Sukumaran and Parthasarathy, sold the property to K.Pachaiyappan under a registered sale deed vide document No.858 of 1990 on the file of the Sub Registrar, Sembiam. They also executed another sale deed in favour of T.G.Lalitha on the same day, which is registered as document No.859 of 1990. Thereafter, it appears that the sons of Mythili ammal, K.Pachaiyappan and T.G.Lalitha executed a sale deed in favour of C.Yuvaraj and C.Mohan, which was registered under a document No.2393 of 1997 on the file of the Sub Registrar, Sembiam. It is from the legal heirs of the said C.Yuvaraj and C.Mohan that the petitioner had purchased the property in question.

4. On 25.03.2021, the petitioner appears to have submitted a representation for grant of patta. It was at that point in time that the petitioner came to know that the lands have been the subject matter of the



W.P.No.260 of 2025

urban land ceiling proceedings. W.P.No.24807 of 2022, which related to these proceedings, was disposed of on 17.10.2022 with a liberty to work out the remedy in the manner known to law. Thereafter, the petitioner applied under the Right to Information Act and collected details of the land. At that point, they came to know about the proceeding against one Raja Gopal Ayyangar, dated 13.05.1991. In pursuance of the petitioner's representation, the third respondent issued a notice dated 12.01.2024 for a personal hearing. The petitioner appeared and submitted the necessary documents. However, no orders have not been passed.

5. Meanwhile, in the light of the Government orders, the petitioner sought to have his purchase regularized by taking refuge under G.O.Ms.No.565, Revenue Department No.1, dated 26.09.2008. A representation to this effect was submitted on 29.12.2023. The third respondent held an enquiry, but there has been no progress to date. Hence, this writ petition.

6. Heard the learned counsel appearing on either side and perused



W.P.No.260 of 2025

the materials available on record.

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7. Considering the limited request and the fact that the petitioner has made an application on 29.12.2023, which has not seen the light of the day, a mandamus is issued to the respondents 2 and 3 to consider the petitioner's representation dated 29.12.2023 in the light of the provision of G.O.Ms.No.565, Revenue Department No.1, dated 26.09.2008, by giving an opportunity of hearing to the petitioner and pass orders, within period of three months from the date of receipt of a copy of this order.

8. With the above direction, this writ petition stands allowed. No costs.

09.01.2025

Index : Yes/No

Internet : Yes/No

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To

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai – 600 009.



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W.P.No.260 of 2025

P.T. ASHA, J.
Lpp

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W.P.No. 260 of 2025

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