IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

**W.P.No.3221 of 2026**

1.R.Jaikumari
2.V.R.Shivakumar
3.V.R.Venkateshkumar .. Petitioners

vs

1.The State of Tamil Nadu
rep. By its Secretary,
Revenue Department,
Fort St. George, Chennai – 600 009.

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

3.The Assistant Commissioner,
Urban Land Tax and Ceiling Department,
Mylapore Zone,
New No.130, R.K.Mutt Road,
Mylapore, Chennai – 600 004. .. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records in Na.Ka.No.A3/330/2016 dated 30.09.2024 by the third respondent and quash the same as illegal and direct the respondents to regularise the purchase of petitioners' flat bearing No.19, Door No.3, Anthu Street, Santhome High Road, Mylapore, Chennai – 600 004.

For Petitioners : Mr.G.T.Subramanian

For Respondents : Mr.Abishek Murthy,
Government Advocate

**ORDER**

The petitioners purchased Plot No.19 at No.3, Anthu Street, Mylapore, Chennai, under registered sale deed dated 28.02.2000 bearing Document No.1054 of 2000. Subsequently, the first and second petitioners intended to settle the property in favour of the third petitioner. After executing a settlement deed, the petitioners discovered that the property was the subject of proceedings under the Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978. Therefore, the petitioners requested for regularisation under the Innocent Buyer Scheme. This request was refused under the impugned communication dated 30.09.2024. Hence this writ petition.

2. Learned counsel for the petitioners submits that the original purchase deed dated 28.02.2000 was prior to the cut-off date of 26.09.2008. Therefore, he submits that the petitioners are entitled to the benefit of Innocent Buyer Scheme.

3. Mr.Abishek Murthy, learned Government Advocate accepts notice for all the respondents. He submits that the impugned

communication has been issued because the settlement deed was executed after the cut-off date.

4. Inter-alia in *S.Eswaran vs. State of Tamil Nadu and Others, order dated 09.12.2025 in W.P.No.47626 of 2025*, I held that a person, who purchases the property prior to the cut-off date of 26.09.2008 and, thereafter, settles or partitions the property as between the members of the family, is entitled to the benefit of G.O.Ms.No.63 Revenue and Disaster Management (ULC-I(2)) Department dated 27.01.2020. The petitioners fall squarely within the scope of the said order and are entitled to the benefit thereof. Therefore, the impugned communication is liable to and is hereby set aside. As a corollary, the third respondent is directed to re-consider the petitioner's request by taking note of the observations in this order and issue an appropriate communication to the petitioners within thirty days from the date of receipt of a copy of this order.

5. This writ petition is disposed of on the above terms. There shall be no order as to costs.

10.02.2026

Index:Yes/No
Neutral Citation:Yes/No
mmi

To

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

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

3.The Assistant Commissioner,
Urban Land Tax and Ceiling Department,
Mylapore Zone,
New No.130, R.K.Mutt Road,
Mylapore, Chennai – 600 004.

**SENTHILKUMAR RAMAMOORTHY,J.**

mmi

W.P.No.3221 of 2026

10.02.2026