



WA(MD)No.1856 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2026

CORAM :

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**WA(MD)No.2245 of 2024
and WMP(MD) No.15700 of 2024**

1.The District Collector,
Madurai District, Madurai.

2. The Commissioner,
Urban Land Ceiling and Tax, Madurai.

3. The Assistant Commissioner,
Urban Land Ceiling and Tax, Madurai.

4. The Sub Registrar,
Madurai North, Madurai.

5. The Tahsildar
Madurai North Taluk, Madurai.

... Appellants

Vs

S Selvakumar,
Son of Somasundaram, D.No.14, Kumaragam,
IOC Nagar, Malligai Street, Vilangudi,
Madurai 18.

... Respondent

PRAYER :-Writ Appeal filed under Clause 15 of Letters Patent, praying to prefer this Memorandum of Grounds of Writ Appeal under section 15 of letter of patent Act against the order passed in W.P.(MD) No.5388 of 2023 dated 15.06.2023

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For Appellants : Mr.SRA.Ramachandran
Additional Government Pleader

For Respondent : Mr.N.Vijayarajan

JUDGMENT

((Judgment of the Court was made by Dr.**G.JAYACHANDRAN, J.**)

The State is the appellant. Being aggrieved by the allowing of the writ petition by the learned single Judge in WP(MD) No.5388 of 2023 vide order dated 15.06.2023, the respondents/State in the writ petition have preferred this intra Court appeal.

2. The prayer sought by the respondent/writ petitioner in the writ petition is to quash the impugned proceedings of the Assistant Commissioner, Urban Land Ceiling and Tax, Madurai, who had declined to regularize the housing plots of the respondent/writ petitioner on the ground that the plot falls within excess land now notified under the Urban Land Ceiling Act. The contention of the respondent that his father purchased the property in the year 2008 and subsequently settled it in his favour and therefore, the rigor of Urban Land Ceiling Act will not apply in view of G.O.Ms.No.565 dated 26.09.2008. However, the learned Single Judge has found that the respondent/writ petitioner



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had got the property by way of settlement from his father and therefore, the benefit of G.O.Ms.No.565 dated 26.09.2008 is applicable and directed the third appellant herein to extend the benefit of the said G.O., and pass appropriate orders within a period of six weeks. Being aggrieved, the State has filed the present appeal.

3. However, when the matter was taken up for disposal, the learned Additional Government Pleader fairly concedes that a clarificatory G.O., was issued by the Government in G.O.Ms.No.63 dated 27.01.2022, wherein it is specifically stated that any excess urban land sold prior to 26.09.2008 by the excess land owners, the same has to be regularized and the benefit must enure to subsequent transferors also. In this case, the writ petitioner being the son of the original purchaser, the benefit of G.O.Ms.No.63 dated 27.01.2022 applies.

4. In view of the above fact, the writ appeal stands dismissed and the order of the learned Single Judge is hereby confirmed. No costs. Consequently connected Miscellaneous Petition is closed.

Index : Yes / No
Neutral Citation : Yes / No
RR

(G.J, J.) (K.K.R.K, J.)
08.01.2026



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and
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Order made in
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