



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 15.06.2016

CORAM

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P (MD) No. 10467 of 2016

and

W.M.P (MD) No. 8161 of 2016

N. Sivaprakasam

..Petitioner

Vs

1. The State of Tamil Nadu
represented by
The Tahsildar,
Manachanallur Taluk,
Tiruchirappalli District.

2. The Revenue Inspector,
Manachanallur Taluk,
Tiruchirappalli District.

3. The Village Administrative Officer,
Thiruvellarai,
Manachanallur Taluk,
Tiruchirappalli District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the impugned order of the First Respondent in Na.Ka.No.A2//11585/2015, dated 27.11.2015 and to quash the same and to direct the First Respondent to consider the Petitioner's representation dated 10.5.2015 for individual patta as per Rule 31 Sub-Clause 13(iii) of the Revenue Standing Order.

For Petitioner : M/s. R. S. Sivaram

For Respondents : Mr. J. Gunaseelan Muthiah
.Govt. Advocate

ORDER

Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>
By order of both sides, the main Writ Petition itself is taken up for final disposal.



3.It is not in dispute that the Revenue Tahsildar, Manachanallur Taluk, Tiruchirappalli District, through his proceedings in Reference No.Na.Ka.A2//11585/2015, dated 27.11.2015, had passed an order in respect of issuance of patta (from that of the joint patta).As against the impugned order of the Revenue Tahsildar, Manachanallur Taluk, Tiruchirappalli District, dated 27.11.2015, the Petitioner has a viable, effective and efficacious remedy of projecting an appeal in terms of the ingredients of Section 12 of the Tamil Nadu Patta Pass-Book Act, 1983. As such, this Court directs the Petitioner to prefer an appeal against the impugned order of the Revenue Tahsildar, Manachanallur Taluk, Tiruchirappalli District, dated 27.11.2015 before the Appellate Authority within two weeks from the date of receipt of a copy of this order. If such an appeal together with application, if any, for interim relief, as the case may be, is filed by the Petitioner, then the Appellate Authority shall not harp on the limitation aspect in preferring the appeal. Soon after the filing of the appeal by the Petitioner and after taking the same to file, the Appellate Authority is to proceed further in terms of Tamil Nadu Patta Pass-Book Act, 1983 and to pass appropriate orders in the manner known to law and in accordance with law.

4.With the aforesaid observations and directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub-Assistant Registrar

To

1.The Tahsildar, Manachanallur Taluk,
Tiruchirappalli District.

2.The Revenue Inspector,
Manachanallur Taluk, Tiruchirappalli District.

3.The Village Administrative Officer,
Thiruvellarai, Manachanallur Taluk,
Tiruchirappalli District.

+One cc to Mr.R.S.Sivaram, Advocate, SR.No.31252

+One cc to The Special Government Pleader, SR.No.30556

vsn

RL/6C/2P/SK/SKN/24/6/2016

W.P(MD)No.10467 of 2016