

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.09.2018

CORAM :
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.11304 of 2014

M.V.Vijayalalitha
M.V.Pushpalatha
M.V.Vijayalakshmi

... Petitioners

vs.

1. The State of Tamil Nadu by
The Revenue Divisional Officer,
Chengalpattu.
2. The Tahsildar,
Tahsildar Office,
Chengalpattu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus by directing the 2nd respondent to issue patta to the petitioners herein on their application dated 09.08.2010 for issuance of patta in respect of 4 acres 11 cents in Kalvai village, now Kancheepuram district.

For Petitioners : M/s. N. Karthikeyan

For Respondents : Mr.R.S.Selvam
Government Advocate.

O R D E R

The relief sought for in this writ petition is for a direction to direct the 2nd respondent to issue patta to the writ petitioners on their application dated 09.08.2010 in respect of 4 acres and 11 cents in Kalvai village, now Kancheepuram district.

2. The learned counsel appearing on behalf of the writ petitioners states that initially the application submitted by the writ petitioners for grant of patta was rejected. Challenging the same the petitioners have preferred an appeal before the Revenue Divisional Officer, Chengalpattu under the provisions of the Tamil Nadu Patta Pass Book Act 1983. The Revenue Divisional Officer on adjudication passed an order directing the Tahsildar to reopen the case and conduct an inquiry from the place where the mistake occurred and to pass

appropriate order. In other words, the Revenue Divisional Officer remanded the order back for re adjudication by the Tahsildar concerned.

3. Even the order passed by the Revenue Divisional Officer states that, the Tahsildar should re adjudicate from the place where mistake occurred and pass final orders on merits and in accordance with law. The Tahsildar is bound to conduct an inquiry in respect of the grounds raised by the writ petitioner and as per the directions issued by the Revenue Divisional Officer.

4. Thus without going in to the merits of the matter, the 2nd respondent Tahsildar is directed to consider the document and the materials available on record and pass final orders on merits and in accordance with law by affording reasonable opportunity to all the parties concerned within the period of 12 weeks from the date of receipt of a copy of this order.

5. The writ petitioners are at liberty to submit any additional documents or records along with the orders passed in this present writ petition. Accordingly the writ petition stands disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS-)

//True Copy//

Sub Assistant Registrar

pkn

To

1. The Revenue Divisional Officer,
Chengalpattu.

2. The Tahsildar,
Tahsildar Office,
Chengalpattu

+1cc to the Government Pleader, High Court, Madras, SR.No.63454
+1cc to Mr.N.Karthikeyan, Advocate, SR.No.63272

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PPA(CO)

rrs(16/10/2018)