

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.42230 of 2016

M. Mariammal

...Petitioner

v.

1. The State Rep. by
The District Collector,
O/o. The Collectorate of Kanchipuram,
Kanchipuram,
Tamil Nadu - 631 501.
2. The District Revenue Officer,
O/o. The Collectorate of Kanchipuram,
Kanchipuram,
Tamil Nadu - 631 501.
3. The Village Administrative Officer,
No.79, Parpangkaranai,
Aanaikundram, Ammanoor
Madhurantaam Taluk.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the 2nd respondent to consider the representation and issue revised patta for the remaining extent of 1.60 Acres out of 3.90 acres in the name of the petitioner for the property situated in S.No.54/3 admeasuring an extent of 3.90 Acres situated at Chengalpattu District, Acharapakkam SRO, Acharapakkam Panchayat Union, Annaikundram Village Panchayat Board.

For Petitioner : M/s. Nathan and Associates

For Respondents : Ms. A. Madhumathi,
Special Govt. Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 2nd respondent to consider the representation and issue revised patta for the remaining extent of 1.60 Acres out of 3.90 acres in the name of the petitioner for the property situated in S.No.54/3 measuring an

extent of 3.90 Acres situated at Chengalpattu District, Acharapakkam SRO, Acharapakkam Panchayat Union, Annaikundram Village Panchayat Board.

2. The learned counsel appearing for the petitioner submitted that the petitioner applied for the issuance of patta in respect of 3.90 Acres, however, the Tahsildar has issued patta only in respect of 2.30 Acres and did not issue patta in respect of 1.60 Acres.

3. Ms. A. Madhumathi, learned Special Government Pleader appearing for the respondents submitted that when the Tahsildar had refused to issue patta in respect of the remaining extent of 1.60 Acres, the remedy open to the petitioner is only to file an appeal as per the provisions of Section 10 of the Tamil Nadu Patta Passbook Act.

4. The learned counsel appearing for the petitioner also submitted that the petitioner would file an appeal before the Revenue Divisional Officer, in accordance with law.

5. Having regard to the submissions made by the learned counsel on either side, since the remedy open to the petitioner is only to file an appeal under Section 10 of the Tamil Nadu Patta Passbook Act, I do not find any reason to give any further direction to the 2nd respondent. In such view of the matter, the Writ Petition is disposed of. However, it is open to the petitioner to file an appeal under Section 10 of the Tamil Nadu Patta Passbook Act challenging the order passed by the Tahsildar. No costs.

Sd/-

Assistant Registrar

//True Copy//

rj
To

Sub Assistant Registrar

1. The District Collector,
O/o. The Collectorate of Kanchipuram,
Kanchipuram,
Tamil Nadu - 631 501.

2. The District Revenue Officer,
O/o. The Collectorate of Kanchipuram,
Kanchipuram,
Tamil Nadu - 631 501.

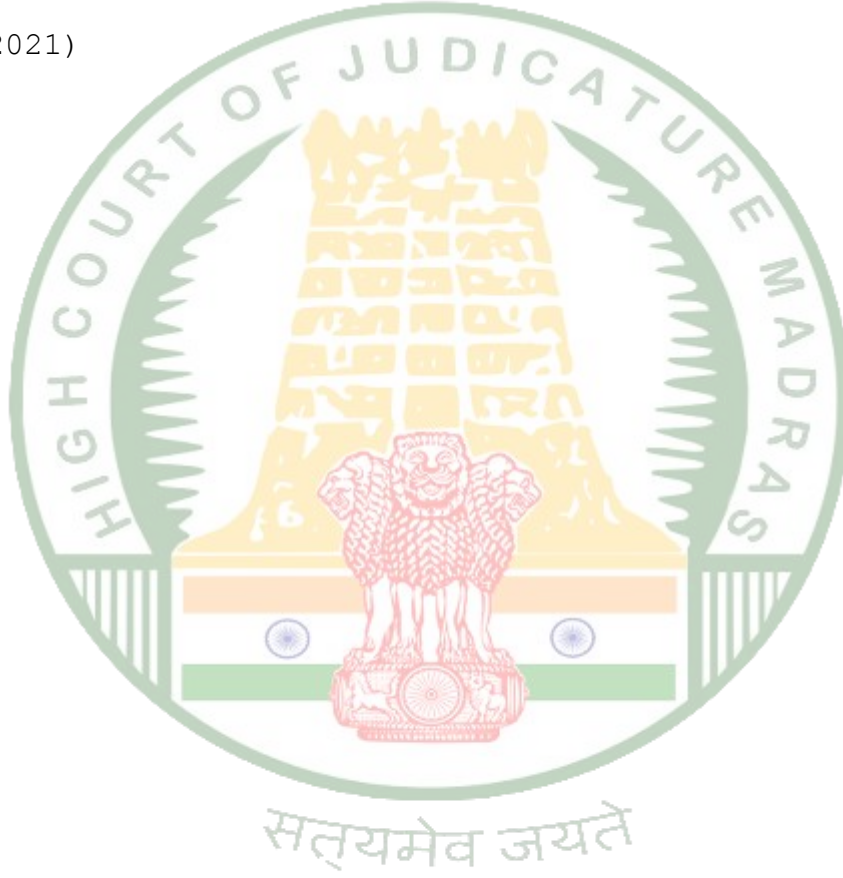
3. The Village Administrative Officer,
No.79, Parpangkaranai,
Aanaikundram, Ammanoor
Madhurantaam Taluk.

+1cc to M/s.Nathan & Associates, Advocate, S.R.No.38598

+1cc to the Government Pleader, S.R.No.38668

W.P.No.42230 of 2016

kj (CO)
rv(19/01/2021)



WEB COPY