



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.10214 of 2020

Muruga Boopathy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

5.Punnaimuthu

6.Elavarasa Pandian

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the third respondent to consider and dispose of the representation/appeal dated 17.07.2020 filed under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 within the stipulated period.

For Petitioner	:	Mr.M.Jothi Basu
For RR 1 to 4	:	Mr.C.Ramesh,
		Special Government Pleader.

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the third respondent to consider and dispose of the representation/appeal of the petitioner dated 17.07.2020 filed under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 within the stipulated period.

2.According to the petitioner, he has made a representation to the District Collector seeking to cancel the patta in the name of the respondents 5 and 6, which was granted by the Tahsildar. Since no action has been taken on the side of the respondents 1 to 4, the petitioner has filed the present Writ Petition.



3.The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the petitioner has made a representation before the District Collector, Virudhunagar District, but the petitioner has to prefer an appeal before the Revenue Divisional Officer under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983. If the petitioner prefers an appeal before the Revenue Divisional Officer, the same will be considered by the authority concerned in accordance with Act and Rules.

4.In view of the above submissions made by the learned Special Government Pleader, the prayer sought for by the petitioner in the present Writ Petition cannot be entertained. However, in view of the allegations made in the affidavit filed in support of the petition, it is open to the petitioner to prefer an appeal before the Revenue Divisional Officer under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983. If any such appeal has been preferred by the petitioner, the appellate authority shall consider the same in accordance with law.

5.With the above observation, the Writ Petition is dismissed.
No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

4.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

+1 CC to M/s.M. JOTHI BASU, Advocate (SR-15199[F] dated
28/08/2020)

+1 CC to M/s.GP (SR-15284[F] dated 28/08/2020)

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AP(04/09/2020) 3P 7C