



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2021

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.15437 OF 2015

AND

M.P.NO.1 OF 2015

S.Neeladevi

... Petitioner

-Vs-

1. The District Collector,
Collector Office,
Rajaji Salai,
Chennai - 600 001.

2. The Tahsildar,
Purasaiwalkam - Perambur Taluk,
Chennai - 11.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records of the 2nd respondent vide Proceedings Na.Ka.No.A1/13517/13 dated 02.09.2013 and quash the same and consequently directing the 1st and 2nd respondents to issue a Patta in favour of the petitioner pertaining to bearing No.P-1, Annai Therasa Nagar, Villivakkam, Chennai - 49.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mr.Richardson Wilson
Government Advocate

O R D E R

This Writ Petition is filed to issue a writ of certiorarified mandamus calling for the records of the 2nd respondent vide Proceedings Na.Ka.No.A1/13517/13 dated 02.09.2013 and quash the same and consequently directing the 1st and 2nd respondents to issue a Patta in favour of the petitioner pertaining to bearing No.P-1, Annai Therasa Nagar, Villivakkam, Chennai - 49.



2. The petitioner submitted a representation to the second respondent for issuance of patta in respect of the subject property. In view of the said representation, he also filed a writ petition before this Court in W.P.No.7195 of 2013 and this Court by an order dated 22.03.2013 directed the second respondent to pass orders on merits in accordance with law, after affording opportunity to the petitioner and others if any, within a period of three months from the date of receipt of a copy of this order.

3. Accordingly, the second respondent conducted an enquiry and rejected the request of the petitioner seeking patta in respect of the subject property. There is an appeal remedy for the petitioner as against the order passed by the second respondent under Section 12 of the Tamil Nadu Patta Passbook Act. Therefore, the writ petition is devoid on merits.

4. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to challenge the orders passed by the second respondent before the Appellate Authority as contemplated under Section 12 of the Tamil Nadu Patta Passbook Act. It is made clear that the period of pendency of the writ petition may be excluded while considering the appeal by the Appellate Authority. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rna

To

1. The District Collector,
Collector Office, Rajaji Salai,
Chennai - 600 001.

2. The Tahsildar,
Purasaiwalkam - Perambur Taluk,
Chennai - 11.

+1cc to the Government Pleader, S.R.No.39776

W.P.NO.15437 OF 2015 AND
M.P.NO.1 OF 2015

NK(CO)
PBS/01/09/2021