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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

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

W.P.No.9921 of 2011

and

M.P.Nos.1, 2 of 2011

1. B.Suyam Prabha

2. N.Vidhyaranyan

... Petitioners

Vs

1. The District Collector,
Namakkal.

2. The Revenue Divisional Officer,
Tiruchengode, Namakkal District.

3. The District Revenue Officer,
Tiruchengode, Namakkal District.

4. The Tahsildar,
Paramathivelur Taluk,
Namakkal District.

5. T.R.Dhandapani

6. T.R.Radhakrishnan (Deceased)

7. T.R.Subramanian (Deceased)

8. T.R.Viswanathan

9. Ranganayaki

10. Padmavathi

11. Gnanambal

12. Viji @ Visalakshi

13. R.Devika Rani

14. R.Prasannambal

15. R.Gayathri

(R12 to R15 substituted as Lrs of Deceased Respondent R6 vide order dated 24.08.2021 made in M.P.No.1 of 2012 in W.P.No.9921 of 2011 by GKIJ)

16. S.Gomathi

17. S.Lakshmidaran



18.M.Hemalatha

(R16 to R18 substituted as Lrs of Deceased Respondent R7 vide order dated 24.08.2021 made in M.P.No.1 of 2012 in W.P.No.9921 of 2011 by GKIJ)

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records relating to the proceedings pursuant to the order dated 15.02.2011 in Ne.Mu.No.3467-10 of the 2nd respondent herein and quash the same.

For Petitioners : M/s.AL.Ganthimathi

For Respondents : Mr.M.R.Gokul Krishnan
1 to 4 Government Advocate

For Respondents : Mr.A.R.Balaji for
5 and 8 to 18 Mr.B.Vijay

R6, 7 - Died steps taken

O R D E R

This Writ Petition is filed to issue a Writ of Certiorari, calling for the records relating to the proceedings pursuant to the order dated 15.02.2011 in Ne.Mu.No.3467-10 of the 2nd respondent herein and quash the same.

2. The writ petition has been filed challenging the order passed by the second respondent and rejected the request made by the petitioners to remove the names of the private respondents herein from the patta. The Appeal was filed under Section 12 of the Tamil Nadu Patta Passbook Act before the second respondent. As against the order passed under Section 12 of the Tamil Nadu Patta Passbook Act there is a statutory appeal provision under Section 13 of the Tamil Nadu Patta Passbook Act to file a revision.

3. Therefore, when there is a specific appeal revision remedy as against the order passed by the second respondent.



This Court cannot entertained this writ petition. Unless there is violations of principles of natural justice. Thereby the writ petition is dismissed as devoid of merits.

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4. Accordingly, this writ petition is dismissed. However, the petitioners are at liberty to file revision before the third respondent. Accordingly, the petitioners are directed to file revision within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the period of pendency of the writ petition may be excluded while calculating the limitation in the appeal by the third respondent herein. If the third respondent received any appeal from the petitioners, the third respondent is directed to issue notice to all the parties concerned and affording an opportunity of hearing and pass orders on merits in accordance with law within a period of twelve weeks thereafter. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

rna

To

1. The District Collector,
Namakkal.
2. The Revenue Divisional Officer,
Tiruchengode,
Namakkal District.
3. The District Revenue Officer,
Tiruchengode,
Namakkal District.



4. The Tahsildar,
Paramathivelur Taluk,
Namakkal District.

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+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.42451

+2ccs to M/s.B.Vijay, Advocate, S.R.No.42743

+1cc to the Government Pleader, S.R.No.42687

W.P.No.9921 of 2011
and
M.P.Nos.1, 2 of 2011

JP-II (CO)
SU(27/09/2021)