



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.11.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.23669 of 2021

M/s. J.G. Jewels (P) Ltd.,
Represented by its Director,
Mr. Ashok Kumar,
No.16B, Rajarathnam Street,
Kilpauk, Chennai - 600 010.

.... Petitioner

Vs.

The District Revenue Officer,
Tiruvallur District,
Tiruvallur.

... Respondent

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the Appeal Petition of the petitioner dated 20.02.2021 for the issue of Patta in respect of 2.90 acres of vacant land in Survey No.565/2 of Pappambakkam Village, Thiruvallur Taluk, in favour of the petitioner and pass orders accordingly.

For Petitioner	: Mr.A.E. Ravi Chandran
For Respondent	: Mr.Yogesh Kannadasan (Government Advocate)

O R D E R

This Writ Petitions is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the Appeal Petition of the petitioner dated 20.02.2021 for the issue of Patta in respect of 2.90 acres of vacant land in Survey No.565/2 of Pappambakkam Village, Thiruvallur Taluk, in favour of the petitioner and pass orders accordingly.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent as well as perused the material available on records.

3. Having considered the facts and circumstances of the case and submissions of the learned counsel on either side, it is seen that the petitioner being a auction purchaser of the aforesaid property, has sent a letter dated 20.10.2011 to the Revenue Authorities informing about the acquisition of the



property in question and requesting for mutation of records in its name. Since the said property in question has been sold out to various persons prior to the initiation of the recovery proceedings and registration of Sale certificate of the bank authorities, this Court by its order dated 18.11.2019 in W.P. No.24145 of 2019 filed by the petitioner herein directed the respondents to conduct the enquiry and complete the same within a period of three months from the date of order after affording an opportunity to the parties and pass appropriate orders in accordance with law. After the enquiry, the Revenue Divisional Officer rejected the petitioner's aforesaid representation by its order dated 13.01.2021 holding that as there is a dispute between the pattadars and the petitioner with regard to title of the property, he has no jurisdiction to cancel the existing Pattas and hence the petitioner may approach the Civil Court for appropriate relief. Being aggrieved, the petitioner has filed an Appeal Petition before the respondent on 22.02.2021 under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983. As there is no action and reply on the appeal petition filed by the petitioner herein so far, this Court without expressing any opinion with regard to the merits of the case, directs the respondent to consider the petitioner's appeal dated 20.02.2021 and pass appropriate orders on it within a period of four months from the date of receipt of copy of this order in accordance with law after affording sufficient opportunity to the petitioner herein.

4.In the result, the Writ Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

bm
To:

The District Revenue Officer,
Tiruvallur District,
Tiruvallur.

+1cc to Mr.A.E. Ravi Chandran, Advocate, S.R.No.56912
+1cc to the Government Pleader, S.R.No.57598

W.P.No.23669 of 2021

KSM(CO)
CT/16/12/2021