BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.18159 of 2021

1. Rengadoss
2. Poovanantham
3. Rajendran
4. Ravi
5. Baskaran
6. Kumaraguru
7. S.Saantha Moorthy ... Petitioners

Vs.

1. The Revenue Divisional Officer,
   Office of Revenue Divisional Officer,
   Ramanthapuram District,
   Ramanathapuram.

2. The Managing Trustee,
   Arilmigu Raja Rajeshwari Amman Thirukoil,
   Samasthana Devasthanam,
   Ramanathapuram.

3. The Joint Commissioner,
   HR & CE Department,
   40, Muthusamy Road,
   Tirupathur Road, Sivagangai District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent's impugned order in OO.Mu.A6/6420/2014 dated 28.12.2020 and quash the same as devoid of merits consequently directing the first respondent to grant patta for the properties in G.R.S.No.270, the present Town Survey No.8 an extent of 12 Acres 27 Cents in Ramanathapuram Town, by considering the grant given through Copper Pattayam by the King of Ramanad Sethupathy Maharaja, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.K.S.Selva Ganesan
Counsel for the State

O R D E R

The petitioners assail an order dated 28.12.2020 of the Revenue Divisional Officer, Ramanathapuram District. The petitioners state that they had applied for a patta in respect of the properties bearing G.R.S.No.270, Town Survey No.8 of an extent of 12 Acres and 27 Cents. The said application was rejected. Consequently, the petitioners filed an appeal before the Revenue Divisional Officer. Such appeal was dismissed by order dated 28.12.2020 on the ground that the petitioners had not produced documents to establish their claim for a patta. By the present writ petition, the petitioners assail the said order.

2. Under Section 13 of the Tamil Nadu Patta Passbook Act 1983, a revision lies to the District Revenue Officer against the order passed by the Revenue Divisional Officer. In fact, Rule 15 of the Tamil Nadu Patta Passbook Rules, 1987 specifies that such appeal should be filed within ninety days from the date of the order. In the case at hand, the impugned order was issued on 28.12.2020. Therefore, it is likely that the limitation period in such regard may have expired. However, Rule 15(2) enables a party to seek condonation of delay for sufficient cause. In addition, the petitioners may be entitled to the benefit of the *suo motu* extension of limitation in terms of the orders passed by the Hon'ble Supreme Court.

3. Subject to the above observations, W.P(MD).No.18159 of 2021 is disposed of on by leaving it open to the petitioners to file a revision petition before the jurisdictional District Revenue Officer. If the petitioners file such revision petition within a period of two weeks from the date of receipt of a copy of this order, the jurisdictional District Revenue Officer is directed to receive such appeal without going into the question of limitation and dispose of such revision petition within a period of six months from the date of receipt thereof. There will be no order as to costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Revenue Divisional Officer,
   Office of Revenue Divisional Officer,
   Ramanthapuram District,
   Ramanathapuram.

2. The Managing Trustee,
   Arilmigu Raja Rajeshwari Amman Thirukoil,
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   Ramanathapuram.

3. The Joint Commissioner,
   HR & CE Department,
   40, Muthusamy Road,
   Tirupathur Road, Sivagangai District.

Copy to:
The District Revenue Officer,
Ramanthapuram District,
Ramanathapuram.

+1 CC to M/s.SPL.GP (SR-31955[F] dated 11/10/2021)

W.P.(MD)No.18159 of 2021

07.10.2021

RD(22.10.2021) 3P 6C