



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2021

CORAM

**THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P(MD).Nos.18531 and 18532 of 2021

and W.M.P.(MD)Nos.15304, 15305, 15307 and 15308 of 2021

WEB COPY

1.Natarajan ... Petitioner in W.P.(MD)No.18531 of 2021  
2.Malaiyandi ... Petitioner in W.P.(MD)No.18532 of 2021

**Vs.**

1.The District Collector,  
Office of the District Collector,  
Pudukottai, Pudukottai District.

2.The Revenue Divisional Officer,  
Officer of the Revenue Divisional Office,  
Iluppur, Pudukottai District.

3.The Tahsildar,  
Office of the Tahsildar,  
Ponnamaravathi Taluk,  
Pudukottai District.

4.Shanthi  
5.Chandra  
6.Subramanian ... Respondents in both petitions

**Common Prayer** : Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records connected with impugned order in Moo.Mu.No.7084/2013/A3 dated 01.07.2021 on the file of the second respondent and quash the same as illegal in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Murugan  
(in both petitions)  
For R1 to R3 : Mr.K.S.Selva Ganesan  
(in both petitions) Counsel for State

**COMMON ORDER**

The respective petitioner assails an order dated 01.07.2021 of the Revenue Divisional Officer.

2.The petitioners state that their grandfather, namely, Chinnalagu Velalar was the owner of the lands in Pudukottai District and under several survey numbers as set out in paragraph 3 of

<https://hdsr.srccourt.gov.in/cases>



the affidavit. It is stated that the said Chinnalagu Velalar died intestate and, therefore, the revenue records pertaining to the above mentioned properties were mutated in the names of his three sons, Chinnaiya, Ayyakannu and Chithambaram. The respective petitioner alleges that the impugned order is liable to be interfered with because the said order is in favour of only the legal heirs of Chinnaiya, namely, Subramanian, Shanthi and Chandra. In addition, the respective petitioner asserts that the impugned order was issued without providing a reasonable opportunity to the respective petitioner herein.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice for respondents 1 to 3. Mr.K.S.Selva Ganesan points out that a revision petition lies under Section 13 of the Tamil Nadu Patta Passbook Act, 1983 against the order of the Revenue Divisional Officer.

4.The question that arises for consideration is whether the present writ petitions should be entertained notwithstanding the statutory remedy by way of revision. On perusal of the impugned order dated 01.07.2021, it appears that the petitioner in W.P.(MD) No.18531 of 2021 has been arrayed as a party in the proceedings. The impugned order also adverts to the submissions of some of the respondents. Therefore, it cannot be conclusively inferred that the said order was issued without providing a reasonable opportunity to the respective petitioner. As correctly contended by learned counsel for the State, a statutory remedy is provided for under Section 13 of the Tamil Nadu Patta Passbook Act, 1983 by way of a revision petition before the jurisdictional District Revenue Officer. Consequently, there is no reason to entertain the present writ petitions.

5.For reasons set out above, W.P.(MD)Nos.18531 and 18532 of 2021 are disposed of without any order as to costs by leaving it open to the respective petitioner to file a revision petition before the jurisdictional District Revenue Officer in accordance with law. Consequently, W.M.P.(MD)Nos.15304, 15305, 15307 and 15308 of 2021 are closed.

Sd/-

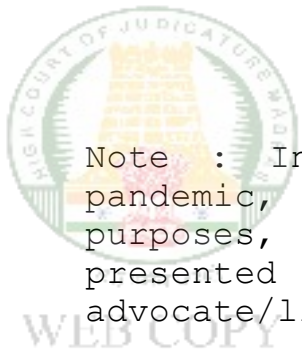
Assistant Registrar (AD-I)

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/ /2021

Sub Assistant Registrar(CS)

sj*i*



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,  
Office of the District Collector,  
Pudukottai, Pudukottai District.
- 2.The Revenue Divisional Officer,  
Officer of the Revenue Divisional Officer,  
Iluppur, Pudukottai District.
- 3.The Thasildar,  
Office of the Thasildar,  
Ponnamaravathi Taluk,  
Pudukottai District.

+1 CC to M/s.SPL.GP ( SR-32346[F] dated 25/10/2021 )

W.P (MD) .Nos.18531 and 18532 of 2021  
21.10.2021

RK/UV (02/11/2021) 3P 5C