



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P.No.3452 of 2022

G.Patrick

... Petitioner

Vs.

1. The Revenue Divisional Officer/
Appellate Authority,
Chengalpattu Taluk & District.
2. The Head Quarter Deputy Tahsildar,
Chengalpattu Taluk,
Chengalpattu District.
- 3.Saraswathi
- 4.Saraaladevi
- 5.Krishnamurthy
- 6.Shanmugam
- 7.Kalyani
- 8.Manonmani
- 9.Sundaram
- 10.Madalai Meriammal
- 11.Sulochana

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein to forthwith consider and pass orders on the Appeal dated 20.12.2021 submitted by the petitioner herein to remove the names of the respondents 3 to 11 herein from the Patta No.81 in respect of the land in S.No.13/3D2A of Puthur Village, Chengalpattu Taluk and District within the stipulated time granted by this Court.

For Petitioner : Mr.Kandavadivel Doraisami

For Respondents : Mr.Richardson Wilson
Additional Govt. Pleader for RR1 & 2



O R D E R

The prayer sought for in this writ petition is a Writ of Mandamus in respect of the landed property in S.No.13/3D2A of Puthur Village, Chengalpattu Taluk and District.

2.It seems that the concerned Tahsildar passed an order, issuing patta in favour of the respondents 3 to 11 herein, in the Patta No.81, for the above said land. Aggrieved over the same, the petitioner filed an Appeal under Section 12 of the Tamil Nadu Patta Pass Book Act, 1986, before the 1st respondent, who is the Appellate Authority/Revenue Divisional Officer concerned, by Appeal dated 20.12.2021.

3.All that the learned counsel appearing for the petitioner, Mr.Kandavadivel Doraisami, wants is that, if the said Appeal is directed to be considered and decided on merits by the 1st respondent/Appellate Authority, of course, after hearing both the petitioner as well as the private respondents, within a time frame, he would be satisfied.

4. Heard Mr.Richardson Wilson, learned Additional Government Pleader, appearing for the official respondents, who would submit that the said Appeal, dated 20.12.2021, would be considered and decided on merits by the 1st respondent/Appellate Authority, after giving an opportunity of being heard to both the petitioner as well as the private respondents.

5.In view of the orders going to be passed in this writ petition, the notice to the private respondents herein is hereby dispensed with.

6. Since the prayer sought for in this writ petition is innocuous in nature, where the petitioner only seeks for the indulgence of this Court to issue a direction to the 1st respondent/Appellate Authority to decide his appeal dated 20.12.2021, which is admittedly pending before the 1st respondent, on merits, within a time frame, this Court is inclined to dispose of this writ petition with the following order :

7. That there shall be a direction to the 1st respondent/Appellate Authority to consider the appeal filed by the petitioner, dated 20.12.2021, under Section 12 of Patta Pass Book Act, 1986, and decide the same on merits and in accordance with the law, of course, after giving an opportunity of being heard to both the petitioner as well as the private respondents, within a period of six weeks from the date of the receipt of a copy of this order.



8. With the above direction, this Writ Petition is disposed of. No costs.

WEB COPY

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mkkn/gba

To

1. The Revenue Divisional Officer/
Appellate Authority,
Chengalpattu Taluk & District.
2. The Head Quarter Deputy Tahsildar,
Chengalpattu Taluk, Chengalpattu District.

+1cc to M/s.Muthumari Doraisami, Advocate, S.R.No.11229

W.P.No.3452 of 2022

NK (CO)
SU (03/03/2022)