



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.29421 of 2013

and

MP Nos.1 and 2 of 2013

Dhanakodi

....Petitioner

Versus

1. The District Revenue Officer,
Cuddalore,
Cuddalore District.

2. The Revenue Divisional Officer,
Vridhachalam,
Cuddalore District.

3. The Tahsildar,
Tittagudi,
Cuddalore District.

4. Thangavel Udayar

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.V-3/2518/2013, dated 06.08.2013 and quash the same.

For Petitioner : Mr.C. Prakasam

For Respondents : Mr.A. Anandan
Government Advocate for R1 to R3

Mr. J. Antony Jesus for R4

ORDER

Petitioner has come up with this writ petition to quash the order passed by the 1st respondent in his proceedings dated 06.08.2013.



2. Heard the learned counsel on both sides.

3. The learned counsel for the respondents 1 to 3 fairly submitted that the very same impugned order was challenged by the petitioners in W.P. No.24464 of 2013, wherein this Court issued the following directions :-

6. Admittedly, the suits are pending on the file of the District Munsif Court, Thittagudi. If aggrieved by the order passed by the first respondent, the second and third petitioners have only to approach the Civil Court for appropriate relief as contemplated under Section 14 of the Tamil Nadu Patta Pass Book Act. Therefore, the second and third petitioners are directed to pursue the suits, and if they succeed in the suits, they can very well approach the third respondent for issuance of patta. Therefore, on receipt of any application from the second and third petitioners, the third respondent is directed to issue notice to the parties concerned and conduct due enquiry after giving opportunity of hearing to them and pass orders on merits and in accordance with law.

4. Having regard to the above order passed by this Court, the relief granted therein can be extended to the petitioner herein. Accordingly, without going into the merits of the case, in the light of the order dated 22.10.2021 passed in W.P. No.24464 of 2013, this Court directs the petitioner to pursue the suit, and if he succeeds in the suit, he can very well approach the third respondent for issuance of patta. On receipt of any such application from the petitioner, the third respondent is directed to issue notice to the parties concerned, conduct due enquiry after giving an opportunity of personal hearing and thereafter, pass orders on merits and in accordance with law.

5. With the aforesaid directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

vsi2



To

1. The District Revenue Officer,
Cuddalore,
Cuddalore District.

2. The Revenue Divisional Officer,
Vridhachalam,
Cuddalore District.

3. The Tahsildar,
Tittagudi,
Cuddalore District.

+1cc to the Government Pleader SR.No.15087

W.P. No.29421 of 2013

GPL (CO)
GN (23/03/2022)