



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.8326 of 2022

K.Senthil @ Senthilkumar

...Petitioner

vs.

1. The District Collector,  
The District Collector Office,  
Thiruvannamalai,  
Thiruvannamalai District - 606 604.
2. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Cheyyar Town,  
Thiruvannamalai District - 604 407.
3. The Tahsildar,  
Office of the Tahsildar,  
Vandavasi Taluk,  
Thiruvannamalai District - 604 408.
4. C.Annamalai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2<sup>nd</sup> respondent to consider and pass orders on the Appeal dated 27.10.2021 submitted by the petitioner under Patta Passbook Act requesting to cancel the joint patta No.345 with regard to Survey No.104 issued in favour of the 4<sup>th</sup> respondent for the patta land of the petitioner and re-issue the patta bearing No.931 which was already issued in the name of the petitioner for the lands to an extent of 35 cents in Survey No.104 of Seeyamangalam Village, Vandavasi Taluk, Thiruvannamalai District.

For Petitioner : Mr.V.R.Appaswamee

For Respondents : Mr.A.Anandan  
Government Advocate



## ORDER

This writ petition has been filed seeking for a issuance of a writ of Mandamus to direct 2<sup>nd</sup> respondent to consider and pass orders on the Appeal dated 27.10.2021 submitted by the petitioner under Patta Passbook Act requesting to cancel the joint patta No.345 with regard to Survey No.104 issued in favour of the 4<sup>th</sup> respondent for the patta land of the petitioner and re-issue the patta bearing No.931 which was already issued in the name of the petitioner of an extent of 35 cents in Survey No.104 of Seeyamangalam Village, Vandavasi Taluk, Thiruvannamalai District.

2. Since no adverse order is being passed against the private respondent, notice to the private respondent is dispensed with.

3. The case of the petitioner is that the petitioner is the owner of the property in S.No.104 cents of an extent of 35 cents situated at Seeyamangalam Village, Thiruvannamalai District and patta bearing Patta No.931 was issued in favour of the petitioner. When the petitioner came to know that the joint patta for the above said property has been issued in favour of the 4<sup>th</sup> respondent by cancelling the patta which was issued in favour of the petitioner, he made a representation to the 2<sup>nd</sup> respondent dated 27.10.2021 in the form of Appeal for cancellation of the joint Patta bearing Patta No.345 issued in favour of the 4<sup>th</sup> respondent and to restore the Patta bearing Patta No.931 in favour of the petitioner. Since the 2<sup>nd</sup> respondent has not acceded to the petitioner's Appeal dated 27.10.2021, he has come up with the present Writ Petition seeking the aforesaid relief.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that initially patta bearing Patta No.931 stood in the name of the petitioner. Subsequently, without issuing any notice the said patta was transferred in the name of the 4<sup>th</sup> respondent, which is not sustainable. Hence, this Court may permit the petitioner to file fresh application before the 3<sup>rd</sup> respondent in terms of Section 10 of Tamil Nadu Patta Passbook Act, within a period of two weeks from the date of receipt of a copy of this order and thereafter the 3<sup>rd</sup> respondent may pass appropriate orders within a time frame to be fixed by this Court.

5. The learned Government Advocate for respondents has no objection for said order being passed.

6. Heard the learned counsel appearing on either side and



perused the materials placed before this Court.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the petitioner to file a fresh application before the 3<sup>rd</sup> respondent in terms of Section 10 of the Tamil Nadu Patta Passbook Act within a period of two weeks from the date of receipt of a copy of this order, thereafter, the 3<sup>rd</sup> respondent is directed to pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the private respondent, within a period of twelve weeks thereafter.

8. This writ petition is accordingly disposed of. No costs.

Sd/-  
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,  
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Thiruvannamalai,  
Thiruvannamalai District - 606 604.
2. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Cheyyar Town,  
Thiruvannamalai District - 604 407.
3. The Tahsildar,  
Office of the Tahsildar,  
Vandavasi Taluk,  
Thiruvannamalai District - 604 408.

+1cc to Mr.V.R.Appaswamee, Advocate, S.R.No.24216

+1cc to the Government Pleader, S.R.No.23833

W.P.No.8326 of 2022

AK(CO)  
SU(27/04/2022)