



Review Appln. No. 88 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **16.09.2022**

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Review Application No. 88 of 2022

in

Writ Petition No. 22680 of 2014

A. Jenasenan

... Petitioner

Versus

1. The Special Tahsildar
Urban Land Tax Office
Kanchipuram.

2. S.Adhiraj

... Respondents

PRAYER: Review Application is filed under Order 47 Rules 1 of CPC read with under Article 226 of the Constitution of India to review the order dated 05.04.2022 made in W.P.No. 22680 of 2014.



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Review Appln. No. 88 of 2022

For Petitioner : Mr.V. Ayyadurai
Senior Counsel

For R1 : Mr.V. Manoharan
Additional Government Pleader

ORDER

This review application has been filed by the petitioner to review the order dated 05.04.2022 passed in W.P.No.22680 of 2014, wherein this Court ordered as under:-

"6. Admittedly, the first respondent has no power to decide the issue relating to Patta issued under the Patta Pass Book Act. Hence, the impugned summon issued by the first respondent dated 04.08.2014 is hereby set aside. The first respondent is directed to transfer the representation made by the second respondent and the entire related papers to the Regular Tahsildar, Kancheepuram District. On receipt of the above, the Tahsildar, Kancheepuram District, if he desire to conduct enquiry in between the petitioner and the second respondent and pass appropriate orders, within a period of twenty four weeks from the date of



Review Appln. No. 88 of 2022

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receipt of the concerned papers".

2. Now, the petitioner has come up with the review application stating that the first respondent cannot decide the issue in question and only the civil court has to be decided the issue between the petitioner and the second respondent. Therefore, the direction of this Court directing the first respondent to transfer the papers to the Regular Tahsildar and directing the Regular Tahsildar to conduct an enquiry against the well established principles. Therefore, the order under question has to be reviewed.

3. Having found that the Special Tahildar, Urban Land Tax Office, Kancheepuram, has no power to decide the issue *qua* issuance of patta under Patta Pass Book Act, this Court directed the first respondent-Special Tahsildar to transfer the entire papers including the representation of the second respondent to the Regular Tahsildar, Kancheepuram District, who in turn directed to conduct an enquiry, if he desires and pass appropriate orders within the stipulated time.



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Review Appln. No. 88 of 2022

4. In view of the above, there is no error apparent on the face of the record and no ground is made out to entertain the review application and accordingly, the Review Application is dismissed. No costs.

16.09.2022

msm

Index : Yes/No

Speaking Order :Yes/No

To

The Special Tahsildar
Urban Land Tax Office
Kanchipuram.



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Review Appln. No. 88 of 2022

M.DHANDAPANI, J.

msm

Review Application No. 88 of 2022
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Writ Petition No. 22680 of 2014

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