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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.583 of 2014

M.Meeran

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Ambattur.

2. The Tasildhar,
Madhavaram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 05.12.2013 passed by the 2nd respondent in proceedings Na.Ka.No.5300/2013/A1 and consequently to direct the 2nd respondent to provide the petitioner with all the relevant revenue records pertaining to Survey No.156/5D1B measuring 1308 Sq.ft which is situated in Puliline Line Grand Village, Madhavaram Taluk, Thiruvallur District.

For Petitioner : M/s.K.Shahul Hameed

For Respondents : Mr.V.Veluchamy
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to quash the impugned order dated 05.12.2013 passed by the 2nd respondent in proceedings Na.Ka.No.5300/2013/A1 and consequently to direct the 2nd respondent to provide the petitioner with all the relevant Revenue Records pertaining to Survey No.156/5D1B, measuring 1308 Sq.ft, which is situated in Puliline Line Grand Village, Madhavaram Taluk, Thiruvallur District.

2. The learned Additional Government Pleader takes notice for the official respondents. In view of the limited relief



sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioners is that originally, the land in Survey No.156/5 in Line Grand Village, Madhavaram Taluk, Thiruvallur District, was belong to one Sivagnanam. The said Sivagnanam had 3 sons. The petitioner's vendor's vendor Suresh is one of the sons. He sub divided the property into 3 parts and sold to 3 different persons, and from them, the petitioner purchased the property. The petitioner obtained Patta from said Suresh by way of the settlement referred to three different persons through three different documents. The said Suresh who is the petitioner's vendor vendor has executed a settlement deed in favour of his wife. Thereafter, his wife alienated the property in favour of the other person. The other person obtained Patta as against the petitioner. To cancel the Patta granted in favour of other person, the petitioner filed application before Revenue Divisional Officer for cancellation of Patta. The Revenue Divisional Officer rejected the petitioner's application by way of impugned order dt.05.12.2013. Challenging the same, this writ petition is filed with the above said prayer.

4. The learned counsel appearing for the petitioner submitted that, the then Revenue Divisional Officer, without conducting the enquiry, mechanically rejected the petitioner's application, which is not sustainable. However, he fairly submitted that, as against the order of the Revenue Divisional Officer, there is a remedy available before the District Revenue Officer in terms of Section 13 of the Tamil Nadu Patta Pass Book Act. Hence, this Court may permit the petitioner to file a Revision petition before the District Revenue Officer within a reasonable time that may be fixed by this Court and thereafter, issue direction to the District Revenue Officer to dispose of the said revision petition that may be filed by the petitioner as early as possible.

5. In view of the limited prayer sought for by the petitioner, this Court without going into the merits of the case, issues direction to the petitioner to file appropriate Revision petition before the District Revenue Officer within a period of two weeks from the date of receipt of a copy of this order. On receipt of such revision petition, the District Revenue Officer is directed to consider the same and pass orders in accordance with law, within a period of twelve weeks thereafter.

6. The period of Writ Petition pending before this Court shall be excluded in order to enable the District Revenue



Officer, Ambattur, to pass orders on the Revision Petition.

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

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Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Psa

To

1. The Revenue Divisional Officer,
Ambattur.
2. The Tasildhar,
Madhavaram.
3. The District Revenue Officer,
Ambattur.

+1cc to Mr.Shahul Hameed, Advocate, S.R.No.17124

+1cc to the Government Pleader, S.R.No.18134

W.P. No.583 of 2014

MG(CO)
SU(01/04/2022)