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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21349 of 2014

And

M.P.Nos.2 and 3 of 2014 and W.M.P.No.22997 of 2017

1.Pasoorammal

2.Jayasudha

... Petitioners

Vs.

1.The Tahsildar,
Office of the Thasildar,
Thiruvallur Taluk and District.

2.The Zonal Deputy Thasildar,
Office of the Zonal Deputy Thasildar,
Thiruvallur Taluk and District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruvallur District.

4.The Collector,
Office of the Collector Thiruvallur District,
Thiruvallur District.

5.Nandhivarman

6.Leelaivarman

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records in respect of the impugned order passed by the first respondent dated 22.05.2014 bearing Na.Ka.1758/2014/A3 and the consequential issuance of patta by the second respondent in C.R.No.8920/14 dated 06.06.2014 vide patta No.1813 in respect of the lands comprised in Survey No.164/8 of an extent of acre 0.37 cents, Nanja Lands and Survey No.420/1 of an extent of acre 1.18 cents, Punja lands, situated in Kottaiyour Village, Thiruvallur



Taluk and District and quash the same and thereon forbear the respondents from any manner interfering with the peaceful possession and enjoyment of the aforesaid properties by the petitioners.

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For Petitioners : Mr.A.Palaniappan

For Respondents : Mr.M.Murali for R1 to R4
Government Advocate
Ms.S.Lakshmi for R5 and R6
for M/s.S.Manoharan

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records in respect of the impugned order passed by the first respondent dated 22.05.2014 bearing Na.Ka.1758/2014/A3 and the consequential issuance of patta by the second respondent in C.R.No.8920/14 dated 06.06.2014 vide patta No.1813 in respect of the lands comprised in Survey No.164/8 of an extent of acre 0.37 cents, Nanja Lands and Survey No.420/1 of an extent of acre 1.18 cents, Punja lands, situated in Kottaiyour Village, Thiruvallur Taluk and District and to quash the same and thereon forbear the respondents from any manner interfering with the peaceful possession and enjoyment of the aforesaid properties by the petitioners.

2.It is represented by the learned counsel appearing for the petitioners that as against the impugned order passed by the first respondent dated 22.05.2014, there is effective appeal remedy available to the petitioners before the Revenue Divisional Officer in terms of Section 12 of the Patta Pass Book Act and hence this Court may permit the petitioners to file appeal before the jurisdictional Revenue Divisional Officer.

3.In view of the above, this Court permit the petitioners to file appeal before the jurisdictional Revenue Divisional Officer. If any such appeal is filed by the petitioners, the concerned Revenue Divisional Officer shall consider the same and pass appropriate orders after providing opportunity to the petitioners, as expeditiously as possible. The period during the pendency of this writ petition is excluded for the purpose of limitation.



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4.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Tahsildar,
Office of the Thasildar,
Thiruvallur Taluk and District.
- 2.The Zonal Deputy Thasildar,
Office of the Zonal Deputy Thasildar,
Thiruvallur Taluk and District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thiruvallur District.
- 4.The Collector,
Office of the Collector Thiruvallur District,
Thiruvallur District.
5. The Section Officer
ER Section
High Court, Madras 104.

+1 CC to Mr.S. Manoharan, Advocate sr 27338.
+1 CC to Mr.A.Palaniappan, Advocate sr 27466
+1 CC to The Special Government Pleader sr 28167.

W.P.No.21349 of 2014
And
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SKM(CO)
SP(05/05/2022)