



W.P.No.25782 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

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Ambayiram

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Cuddalore District.

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

3.The Tahsildar,
Tittakudi Taluk,
Cuddalore District.

4.The Village Administrative Officer,
Vallimaduram Village,
Tittakudi Taluk,
Cuddalore District.

5.Ponnusami

6.Ramakannu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 3rd respondent to dispose of Application dated 01.08.2019 and pass appropriate order in terms of Section 10 of Tamil Nadu Patta Pass Book Act, 1983 read with Rule 4(7) of Tamil



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Nadu Patta Pass Book Rules, 1987 within a time framed limit.

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For Petitioner : Mr.T.Dharani
For R1 to R4 : Mr.T.K.Saravanan
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the 3rd respondent to dispose of application dated 01.08.2019 and pass appropriate order in terms of Section 10 of Tamil Nadu Patta Pass Book Act, 1983 read with Rule 4(7) of Tamil Nadu Patta Pass Book Rules, 1987 within a time frame limit as may be fixed by this Court.

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

3. The case of the petitioner is that the petitioner's father had purchased the lands from one Ponnusami, comprised in Punjai Survey No.306/2B6, of an extent of 0.23.00 Ares and in Survey No.306/2B5, of an extent of 0.23.0 Ares, situated at Vallimaduram. Subsequent to the purchase of the aforesaid properties, the petitioner's father and petitioner was in peaceful possession and enjoyment of the said properties. While so, the petitioner moved along with his family members to Kerala for eking out their



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livelihood and often visiting the aforesaid properties. Further, the petitioner came to know that during the UDR Scheme proceedings, the Patta has been transferred erroneously in the name of fifth and sixth respondents in respect of properties in S.Nos.305/2B5 & 306/2B6. Therefore, the petitioner made an application dated 01.08.2019 before the third respondent under Section 10 of Tamil Nadu Patta Pass Book Act, 1993, seeking to conduct enquiry and to transfer the Patta in the name of the petitioner in respect of the aforesaid properties. Since the said application was not considered by the third respondent, the petitioner filed the present Writ Petition.

4. The learned counsel for the petitioner submitted that it would suffice, if this Court, issues a direction to the third respondent to consider the petitioner's application dated 01.08.2019 and pass orders on the same within a stipulated time frame to be fixed by this Court.

5. The learned Government Advocate appearing for the respondents 1 to 4 has no objection for the said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the third respondent



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to consider the petitioner's application dated 01.08.2019 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the private respondents herein, within a period of twelve weeks from the date of receipt of a copy of this order.

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

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Index : Yes / No
Speaking order: Yes/ No
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To

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M.DHANDAPANI, J.

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