



W.P.No.30563 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.30563 of 2022

Mr.Jeyachandran

...Petitioner

Vs.

1. The District Collector,
Thiruvallur District, Thiruvallur.

2.The Revenue Divisional Officer,
O/o Revenue Divisional Officer,
Ponneri Division, Ponneri,
Thiruvallur District.

3. The Tahsildar,
Gummidipoondi Taluk,
Thiruvallur District.

4. The Zonal Deputy Tahsildar,
Gummidipoondi Taluk,
Thiruvallur District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to pass orders on the appeal dated 21.09.2022 and pass orders.



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For Petitioner : Mr.C. Balasundar
For Respondents : Mr.U. Baranidharan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition directing the first respondent to dispose the appeal filed by the petitioner dated 21.09.2022 and pass orders.

2. The learned Additional Government Pleader takes notice for the official respondent. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the second respondent inadvertently passed an order 06.07.2022 wherein patta was granted to third parties who have no right over the subject property. Aggrieved over the same the petitioner filed an appeal before the first respondent on 21.09.2022. However the same was not considered. Hence this petition.



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4. The petitioner has challenged the proceedings of the second Respondent/ The Revenue Divisional Officer in this writ petition. On going through Section 13 of Tamil Nadu Patta Pass Book Act, 1983 it is made clear that there is a remedy available to the petitioner to file a Revision before the concerned authority and the relevant provision is extracted hereunder:

“Any officer of the Revenue Department not below the rank of District Revenue officer authorised by the Government, by notification in this behalf for such area as may be specified in the notification, may of his own motion or on the application of a party call for and examine the records of any Tahsildar or appellate authority within his jurisdiction in respect of any proceeding under this Act and pass such order as he may think fit:

Provided that no such order prejudicial to any person shall be made unless he has given a reasonable opportunity of making his representation.”

5. On a fair reading of the above, this Court is of the view there is a alternate available to the petitioner to file an appeal under Section 13 of Tamil Nadu Patta Pass Book Act, 1983. Hence, the petitioner is granted liberty to file a Revision under Section 13 of Tamil Nadu Patta Pass Book Act, 1983 within a period of two weeks from the date of receipt of a copy of this order and if such Revision is filed, the authority concerned shall dispose the same



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within a period of twelve weeks from the date of filing of such appeal.

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6. With the above terms, these writ petitions are disposed of. No costs.

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Speaking Order : Yes/ No
Index : Yes/ No

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To

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Thiruvallur District, Thiruvallur.

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M.DHANDAPANI,J.

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