



WEB COPY



WP.No.29756 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.29756 of 2022

V.Murugesan

.. Petitioner

Versus

1.The District Collector
Chengalpattu District

2.The District Revenue Officer
Chengalpattu District

3.The Revenue Divisional Officer
Thiruporur, Chengalpattu District

4.S.Palayam

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass appropriate orders on the petitioner's representation dated 29.08.2022 within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : M/s.Dass and Viswa Associates
For Respondents : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

This writ petition is filed seeking for issuance of Writ of Mandamus to direct the respondents to consider and pass appropriate orders on the petitioner's representation dated 29.08.2022.



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2. The petitioner got the subject properties in the Family Partition and obtained separate patta, however, due to the influence exerted by the fourth respondent on the Tahsildar, correction in the boundary was made due to which the petitioner gave representation under the Tamil Nadu Survey and Boundaries Act, which is still pending without consideration. Hence, this petition.

3. After some submissions, the learned counsel for the petitioner pleaded that this Court may issue a direction to the jurisdictional Tahsildar to make necessary corrections in the boundaries by considering the representation of the petitioner within a reasonable time as fixed by this Court.

4. The learned Additional Government Pleader submitted that he has no serious objection with regard to the prayer as sought by the petitioner.

5. It is to be noted that Section 10 of the Tamil Nadu Patta Passbook Act, 1983 contemplates that the Tahsildar is the competent authority to modify the entries in the patta pass book even with regard to the boundaries and the first respondent is not the competent authority to make the corrections.



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6. Considering the facts and circumstances of this case, this Court, without going into the merits of this case, permits the petitioner to file a fresh representation to the jurisdictional Tahsildar within a period of two weeks, if such representation is being filed, the jurisdictional Tahsildar is directed to pass appropriate order(s) on merits and in accordance with law, after providing opportunity of hearing to the petitioner as well as the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this Order.

7. In view of the above directions, this writ petition stands disposed of.

No costs.

10.11.2022

dhk

Index:Yes/No

Internet: Yes/No

To

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Chengalpattu District

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Thiruporur, Chengalpattu District



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M. DHANDAPANI, J.

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