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W.P.No.33239 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33239 of 2022

Radha

... Petitioner

-Vs-

1. The Revenue Divisional Officer,
Villupuram District.

2. Ramesh

3. Suresh

4. Sathish Kumar

... Respondents

Prayer : Writ Petitions under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 30.08.2022 passed by the 1st respondent in Na.Ka.A3/1000/2000 and quash the same and consequently remand back the matter to the 1st respondent to decide the same afresh by summoning and verifying the old revenue records like Chitta, Adanal, A – Register, Sketch and other revenue records pertaining to Old Natham Survey No.120/1, New Natham Survey No.120/19 situated at Nathankaduvetty Village, Chennakunam Madhura, Kandachipuram Taluk, Villupuram District from the concerned authorities.

For Petitioner : Mr. B.Ramakrishnan



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For Respondents : Mrs.Akila Rajendran
Government Advocate [R1]

ORDER

The petitioner has moved the present writ petition challenging the order passed by the first respondent i.e., Revenue Divisional Officer dated 30.08.2022 under Patta Passbook Act, 1983.

2. Against the said order, since there is a revisional provision under Section 13 of the Patta Pass Book Act, 1983[in short, 'the Act'] available, the petitioner can very well move a revision. Without exhausting the same, since the petitioner filed the present writ petition challenging the order passed by the first respondent, this Court feels that, the petitioner can be relegated to go to the District Revenue Officer[in short, 'DRO'], under whom the revisional power is vested with under the provisions of the Act and if such a revision is filed that can be considered by the DRO concerned on merits and in accordance with law.

3. Heard Mrs.Akila Rajendran, learned Government Advocate appearing for the first respondent, who also has made the statement in the



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similar line to relegate the petitioner to go before the Revisional Authority.

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4. Taking into consideration of the said submission made by the learned Government Advocate appearing for the first respondent and after hearing the learned counsel appearing for the petitioner and after recorded the said provision available under the Act, this Court is inclined to dispose of this writ petition with the following order:

That it is open to the petitioner to go before the District Revenue Officer by filing a revision under Section 13 of the Act as against the impugned order dated 30.08.2022 passed by the first respondent under his appellate jurisdiction within a period of two(2) weeks from the date of receipt of a copy of this order. If any such revision is filed by the petitioner, the same shall be considered by the DRO concerned after giving notice to both sides on merits and in accordance with law within a period of six(6) weeks thereafter.



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R. SURESH KUMAR, J.

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With this direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
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To

The Revenue Divisional Officer,
Villupuram District.

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