



WEB COPY



W.P.Nos.33226 & 33227 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.Nos.33226 & 33227 of 2022

S.Subashchand ... Petitioner in WP.No.33226 of 2022

T.Sundarapandian ... Petitioner in WP.No.33227 of 2022

Vs

1.The District Revenue Officer /
Revisional Authority,
O/o.The District Revenue Officer,
Chengalpet District.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Tambaram.

3.The Tahsildar,
Taluk Office, Tambaram Taluk,
Chengalpattu District.

... Respondents in both WPs

Prayer in WP.No.33226/2022 : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider and pass orders on the revision filed by the petitioner dated 16.10.2020, in seeking to set aside the cancellation of Patta and to restore the Patta No.461 for the property Plot bearing No.8, measuring an extent of 1800 sq.ft., in LSS Gardens, comprised in Old



W.P.Nos.33226 & 33227 of 2022

Survey No.21/3B, New Survey No.21/15 of Thiruvancheri (Mappedu) Village, Tambaram Taluk, Kancheepuram District in favour of the petitioner.

Prayer in WP.No.33227/2022 : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider and pass orders on the revision filed by the petitioner dated 16.10.2020, in seeking to issue patta for his property, Plot bearing Nos.16, 17, 18 & 19, measuring an extent of 7800 sq.ft., in LSS Gardens, comprised in Survey No.21/3B of Thiruvancheri (Mappedu) Village, Tambaram Taluk, Kancheepuram District in favour of the petitioner.

In both WPs

For Petitioners : Mr.S.Sivapandi

For Respondents : Mr.P.Sathish
Additional Government Pleader

COMMON ORDER

In respect of certain lands belong to the petitioners, it seems that the patta has been cancelled by the Revenue Tahsildar as against which when they preferred appeals under Section 12 of the Patta Passbook Act to the concerned Revenue Divisional Officer, those appeals were not immediately decided, therefore they were constrained to approach this Court by filing writ petitions and those writ petitions were ordered by this Court by giving



W.P.Nos.33226 & 33227 of 2022

direction to the Revenue Divisional Officer to decide the appeals on merits within a time frame.

2. Accordingly the appeals were decided and a common order was passed by the 2nd respondent on 06.03.2020 covering all the five appeals filed by five different persons including the two petitioners herein.

3. In the said order, the Revenue Divisional Officer has confirmed the order passed by the Tahsildar, therefore aggrieved over the same, these petitioners have been triggered to prefer revision under Section 13 of the Patta Passbook Act and such revisions were filed by these petitioners separately on 16.10.2020 to the 1st respondent.

4. However since these revisions have not so far been disposed of by the 1st respondent thereby the petitioners are suffering a lot, hence they moved these writ petitions to seek a mandamus to the 1st respondent to decide the revision petitions at the earliest on merits.

5. Heard Mr.S.Sivapandi, learned counsel appearing for the



W.P.Nos.33226 & 33227 of 2022

petitioners and Mr.P.Sathish, learned Additional Government Pleader appearing for the respondents.

6. The learned Additional Government Pleader for the respondents would submit that, if these revisions filed by the petitioners herein as claimed by them in October 2020 still have not been considered and decided by the 1st respondent, it would be taken up on priority basis and would be decided at the earliest preferably within a time frame that may be stipulated by this Court.

7. Having considered the said submissions made by the learned counsel for both sides especially the stand taken by the learned Additional Government Pleader for the respondents and having regard to the long pending of the revisions before the 1st respondent from 2020, this Court is inclined to dispose of these writ petitions with the following orders:

- (i) There shall be a direction to the 1st respondent to decide these revision petitions of the petitioners dated 16.10.2020 and pass orders thereon on merits and in accordance with law after giving opportunity of being heard to



W.P.Nos.33226 & 33227 of 2022

WEB COPY

the petitioners within a period of six weeks from the date of receipt of a copy of this order.

(ii) It is also made clear that, since the revision petitions have been filed in October 2020, the same shall be decided on merits only and on the point of limitation or on any other technical reason that shall not be decided or rejected by the 1st respondent.

8. With these directions and observations, these Writ Petitions are disposed of. No costs.

09.12.2022

Index : Yes / No
Speaking Order : Yes / No
Sgl
To

1. The District Revenue Officer /
Revisional Authority,
O/o. The District Revenue Officer,
Chengalpet District.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Tambaram.
3. The Tahsildar, Taluk Office, Tambaram Taluk,
Chengalpattu District.

R.SURESH KUMAR, J.



WEB COPY



W.P.Nos.33226 & 33227 of 2022

Sgl

W.P.Nos.33226 & 33227 of 2022

09.12.2022