BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.09.2022**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.18976 of 2015

1. P.Veeranan (Died)

2.Palvanam

3.Chellasamy ... Petitioners

(P2 & P3 are substituted as per Court order, dated 07.09.2022 in W.M.P(MD)No.16565 of 2021)

Vs.

1.The District Revenue Officer,
Collectorate,
Madurai-625 020.

2.The Revenue Divisional Officer,
Usilampatti-625 532,
Madurai District.

3.The Tahsildar,
Usilampatti Taluk,
Usilampatti-625 532,
Madurai District.

4.R.Panchavarnam ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order in Rc.No. 3138/2015/G2 dated 13.02.2015 on the file of the first respondent herein and to quash the same, and direct the first respondent to restore the Revision Petition dated 19.01.2015 presented by the petitioner to the first respondent and to dispose of the same in accordance with law within a time frame as may be fixed.

For Petitioner	: M/s.P.Jessi Jeeva Priya
For R1 – R3	: Mr.A.Sivanu Pandian Government Advocate
For R4	: Mr.K.P.Ramesh

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which the revision filed by the petitioner under the Tamil Nadu Patta Passbook Act has been rejected on the ground that it has been presented after 206 days.

2. According to the petitioner, the second respondent herein has passed an orders adverse to the interest of the writ petitioner on 24.06.2013. After receiving the said order, the petitioner has presented

the revision before the first respondent herein with a delay of 206 days. As per Tamil Nadu Patta Passbook Rules 15 (1), a revision has to be filed within a period of ninety (90) days from the date of receipt of a copy of the order passed by the Revenue Divisional Officer. However, as per Rule 15 (2), the District Revenue Officer can admit the revision presented after the expiry of ninety (90) days, if he is satisfied that the party had just and sufficient cause for not presenting it within the said period. However, in the present case, no such application has been filed as contemplated under Rule 15 (2) along with revision petition.

3. Hence, the order impugned in the writ petition is set aside. The matter is remitted back to the file of the first respondent herein. The petitioner is directed to file an application as contemplated under Rule 15 (2) of the Tamil Nadu Patta Passbook Rules assigning reasons for presenting the revision beyond the period of 90 days. In case, if the first respondent is satisfied with the reasons assigned in the revision petition, he is at liberty to condone the delay and take the revision on file. However, the said petition shall be disposed of after giving due opportunity to the petitioner and the fourth respondent. The petitioner is directed to file the application under Section 15 (2) within a period of

three (3) weeks from the date of receipt of a copy of this order. On receipt of the said application, the first respondent is directed to dispose of the application within a period of four (4) weeks.

4. With the above said observations, this Writ Petition is allowed. No costs.

07.09.2022

Index	:	Yes / No
Internet	:	Yes / No

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Usilampatti-625 532,
Madurai District.

R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.18976 of 2015

Dated:
07.09.2022