



W.P.(MD)No.25143 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25143 of 2022

P.R.Ramanathan

... Petitioner

Vs

1.The District Revenue Officer,
O/o. the District Revenue Officer,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District,
Sivagangai.

4.Karuppayee, W/o.Sundaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent, to dispose the Revision Petition, dated 16.12.2021, filed under Section 13 of the Tamil Nadu Patta Pass Book Act, 1983, by considering the representation of the petitioner, dated 28.10.2022.



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For Petitioner : Mr.T.Lajapathi Roy

For Respondents 1 to 3 : Mr.C.Satheesh
Government Advocate

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent, to dispose the Revision Petition, dated 16.12.2021, filed by him under Section 13 of the Tamil Nadu Patta Pass Book Act, 1983, by considering his representation, dated 28.10.2022.

2. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.C.Satheesh, learned Government Advocate, who takes notice for the respondents 1 to 3. By consent of the learned counsel appearing for the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this Writ Petition, notice to the fourth respondent is dispensed with.

4. According to the petitioner, the property in S.No.190/4, measuring an extent of 0.03.60 Hectares, situated at Nariyakudi Village, Sivagangai Taluk, Sivagangai District, was originally belonged to his father and the Patta



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in respect of the said property also stood in his name. While so, the fourth

respondent and her family members have managed to get a free house site Patta with respect to the property belonging to the petitioner. Therefore, the petitioner submitted a petition dated 25.01.2021, before the respondents 2 and 3, for cancellation of Patta issued in the name of the fourth respondent, who is not a landless poor and her husband namely, Sundaraj, who is a Ex-President of the petitioner's Village, is having a house in the said Village and there are several other properties in her name. Since no action was taken by them, the petitioner filed W.P.(MD)No.10930 of 2021, seeking a Writ of Mandamus, directing the respondents 2 and 3 to dispose of the proceeding in Na.Ka.AA2/658/2021, dated 04.05.2021 and issue Patta in favour of the petitioner, by cancelling the free house site Patta issued to the fourth respondent and her family members. This Court, vide order dated 02.07.2021, disposed of the said Writ Petition, directing the second respondent to consider the representation made by the petitioner on 25.01.2021 after affording an opportunity to the petitioner and the fourth respondent and her family members and deal with the same on its own merits and in accordance with law and pass final orders within a period of eight weeks from the date of receipt of a copy of that order. In the said circumstances, the second respondent, vide his proceedings dated 27.11.2021, had cancelled the Patta issued in favour of the



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fourth respondent's family members *viz.*, Chitra and Shanthi alone, but refused to cancel the Patta issued in favour of the fourth respondent. Aggrieved over the same, the petitioner preferred a Revision Petition under Section 13 of the Tamil Nadu Patta Pass Book Act on 16.12.2021. Under the said circumstances, the first respondent, vide his proceedings dated 20.07.2022, issued a notice to the petitioner and the fourth respondent to appear for enquiry on 02.08.2022. The petitioner and the fourth respondent have appeared on the said date. Despite the same, the matter is pending before the first respondent. Hence, the petitioner sent a representation dated 28.10.2022, to the first respondent, seeking early disposal of the revision petition, dated 16.12.2021. Since the same has not been considered so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated *supra*.

5. The learned Government Advocate appearing for the respondents 1 to 3 submitted that the revision petition filed by the petitioner, dated 16.12.2021, would be disposed of on merits and in accordance with law, within a period of 16 weeks.

6. Recording the aforesaid submission made by the learned Government Advocate appearing for the respondents 1 to 3, this Court, without going into the merits of the case, directs the first respondent to dispose of the



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revision petition filed by the petitioner, dated 16.12.2021, on merits and in accordance with law, after affording an opportunity of hearing to all the necessary parties, within a period of 16 weeks from the date of receipt of a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

07.11.2022

Index : Yes/No
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To

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3. The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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