



WEB COPY



W.P.No.4510 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.4510 of 2023 and
W.M.P.No.4525 of 2023

A.Munavar Begum

... Petitioner

Vs

1.The District Collector,
Tiruppathur District,
Office of the District Collector,
Tiruppathur.

2.The Revenue Divisional Officer,
Islamiah College Road,
Vaniyambadi – 635 752.
Tiruppathur District.

3.The District Revenue Officer,
Collector Office,
Tiruppathur – 635 601.

4.The Tahsildar,
Taluk Office,
Vaniyambadi – 635 751.

5.Ahle-Sunnat Val Jamath
Masjid – E – Qadeem (Old Mosque),
Represented by its Mutavali
High Road, Jafarabad
Vaniyambadi – 635 754.

... Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the order passed by the second respondent vide her proceeding NA.KA.A-2/922 of 2022 dated 01.04.2022 relating to Patta Pass Book No.287569 and quash the same and consequently direct the second respondent to issue fresh Patta Pass Book favouring the petitioner.

For Petitioner : Mr.B.Ram Prasath

For Respondents : Mr.R.P.Muruganraja
Government Advocate for R1 to R4

ORDER

The order impugned is dated 01.04.2022 passed by the 2nd respondent Revenue Divisional Officer under Section 12 of the Patta Passbook Act, as against which even though revision is available under Section 13 of the Act, for the past more than 9 months, no action seems to have been taken on behalf of the petitioner to file the said revision before the 3rd respondent District Revenue Officer.

2. However, presently this writ petition has been filed challenging the order passed by the 2nd respondent on the ground that, some developments have been taken place only recently.



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3. This itself shows that the petitioner has not acted upon to prefer any appeal against the order impugned statutorily which is provided under Section 13 of the Patta Passbook Act, therefore this Court is not inclined to entertain this writ petition accordingly it is dismissed, however with a liberty to the petitioner to file revision before the District Revenue Officer against the order impugned within a period of two weeks from the date of receipt of a copy of this order and if such revision is filed as indicated above, the same shall be entertained and after giving an opportunity of being heard to both petitioner as well as the rival parties, the same shall be decided on merits and in accordance with law by the 3rd respondent District Revenue Officer within a period of eight weeks thereafter.

4. With these directions, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

16.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl



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R.SURESH KUMAR, J.

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