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W.P.No.3130 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.3130 of 2023
and WMP.No.3198 & 3199 of 2023

Mrs.M.Geetha

... Petitioner

-Vs-

1. The Revenue Divisional Officer,
North Chennai Revenue Division,
Chennai.

2. The Tahsildar,
Madhavaram Taluk,
Chennai.

3. Vadivelu

3. V.Selvakumari

... Respondents

Prayer : Writ Petition 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 passed by the 1st respondent in Na.Ka.No.A1/3800/2022 on 02.12.2022 and quash the same and direct the 1st and 2nd respondents to restore the patta in petitioner's name for land bearing Plot No.26, Door No.26, Nehruji Nagar, Mathur Village, Madhavaram Taluk, Chennai District comprised in Survey No.75/2A, New Survey No.81 part as per patta No.3878, New Survey No.81/12 admeasuring an extent of 2790 sq.ft together with the shed having



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electricity connection bearing No.018-003-2777.

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For Petitioner : Mr.D.Bennington

For Respondents : Mr.P.Sathish
Additional Government Pleader

ORDER

Challenging the order passed by the Revenue Divisional Officer dated 02.12.2022, the present writ petition has been filed.

2. Mr.D.Bennington, learned counsel appearing for the petitioner would submit that, as against the said order, even though revision can be filed before the District Revenue Officer concerned, without exhausting such remedy, the petitioner has moved the present writ petition on the ground that, no proper enquiry has been conducted by the Revenue Divisional Officer.

3. Even that ground can very well be raised before the District Revenue Officer, before whom a revision can be filed under the provisions of the Patta Pass Book Act, 1983. Therefore, against the impugned order passed by the first respondent dated 02.12.2022, when



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there is a revisional remedy available to the petitioner before the District Revenue Officer, he can very well exhaust the same and therefore, on that ground, this Court does not want to entertain this writ petition. Hence, this writ petition is dismissed with liberty to the petitioner to file revision before the concerned District Revenue Officer against the order passed by the first respondent dated 02.12.2022 and if any such revision is filed by the petitioner within a period of two weeks from the date of receipt of a copy of this order, the same shall be entertained and decided after conducting enquiry by giving an opportunity of being heard to the petitioner by the District Revenue Officer on merits and in accordance with law within a time frame of eight(8) weeks thereafter.

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

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Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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R. SURESH KUMAR, J.

mp

To

1. The Revenue Divisional Officer,
North Chennai Revenue Division,
Chennai.
2. The Tahsildar,
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