



W.P.No.4925 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4925 of 2023

Periyammal (a) Pappathi

...Petitioner

Vs

1.The District Collector,
Office of the District
Collectorate, Namakkal District.

2.The Revenue Divisional Officer,
O/o the Revenue Divisional Officer,
Tiruchengodu, Namakkal District.

3.The Tahsildar, O/o the Taluk Office,
Tiruchengodu Taluk, Namakkal District.

4.Sengutavenvelu

5.Muthai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to cancel the 4th and 5th respondents' (Sengutavelu S/o.Athappan and Muthai W/o.Sengudavelu) names in Patta Nos.1330 and 1366 in S.No. 140/2 and S.No.140/3 having total extent of 3.59 acres issued by the 3rd respondent as illegal and consequently this court may fix stipulated time for taking appropriate action by the 2nd respondent to consider the



W.P.No.4925 of 2023

petitioner's representation dated 29.11.2022.

For Petitioner : Mr.G.Munuraj

For Respondents 1 to 3 : Ms.Akhila Rajendran,
Government Advocate

For Respondents 4 & 5 : Notice sent

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the official respondents.

2. Considering the nature of direction this Court proposes to issue, before ever notice is served on respondents 4 and 5, the writ petition itself is taken up for final disposal.

3. The grievance of the petitioner is that her representation seeking for transfer of Patta has not been considered in time and hence, she has preferred this Writ Petition.

4. The learned Government Advocate submitted that the relevant



W.P.No.4925 of 2023

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form, namely Form VI, has now been uploaded in the Registration Department's website and that the petitioner can apply through online.

5. The Tamil Nadu Patta Pass Book Act prescribes the mode of making an application for carrying out modifications of entries in the patta pass book to be in Form VI, as specified under Section 10 of the Tamil Nadu Patta Pass Book Act, 1983 [hereinafter referred to as 'the Act'], read with Rule 12 of the Tamil Nadu Patta Pass Book Rules, 1987 [hereinafter referred to as 'the Rules'].

6. This Court is of the view that if the petitioner is granted liberty to make an appropriate online application under the relevant form, within 30 days, with a consequential direction to the Tahsildar to consider the said application in accordance with the procedure contemplated under the relevant Act and Rules, the ends of justice could be secured.

7. In the light of the above observations, the petitioner herein is granted liberty to make an application in Form VI through online, as specified under Section 10 of the Act, read with Rule 12 of the Rules,



W.P.No.4925 of 2023

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within a period of 30 days from the date of receipt of a copy of this order, if not already made. On receipt of such an application, the Tahsildar concerned shall consider it on its own merits and in accordance with the procedure contemplated under the Tamil Nadu Patta Pass Book Act, as well as the Tamil Nadu Patta Pass Book Rules and take a final decision, after giving notice to the petitioner, as well as all the other persons who may be interested in the title/possession of the subject property, within a period of 12 weeks from the date of receipt of the online application (or) from the date of receipt of a copy of this order, if the online application has already been made and is pending.

8. With the above directions, the Writ Petition stands disposed of.

No costs.

18.4.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

RS/hvk



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W.P.No.4925 of 2023

M.S.RAMESH,J.

RS/hvk

To

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W.P.No.4925 of 2023

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