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W.P.No.7523 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7523 of 2023

1.N.Padmalatha
2.N.Malini
3.N.Rajasekaran
4.N.Dhanasekar

...Petitioners

Vs

1.The District Collector,
Chennai District,
(Collectorate of Chennai),
4th Floor, Singaravelar Maligai,
Chennai – 600 001.

2.The District Revenue Officer,
Chennai District,
(Collectorate of Chennai),
8th Floor, Singaravelar Maligai,
Chennai – 600 001.

3.Chitra

4.M.Giridharan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing respondents 1 and 2 to



W.P.No.7523 of 2023

consider the representation dated 28.01.2023 issued by the petitioners to conduct enquiry and afford an opportunity to the petitioners 1 to 4 herein to claim their right and entitlement in the property.

For Petitioners : Mr.G.Rajendran

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate
for R1 and 2

ORDER

Heard Mr.G.Rajendran, learned counsel for the petitioner and Mr.R.P.Murugan Raja, learned Government Advocate for respondents 1 and 2.

2.The writ petition has been filed seeking for a direction to respondents 1 and 2 to consider the representation dated 28.01.2023, issued by the petitioners to conduct enquiry and afford them an opportunity to claim their right and entitlement in the property.

3.The grievance of the petitioners is that since their representation dated 28.01.2023, requesting the official respondents to conduct enquiry



W.P.No.7523 of 2023

and cancel the patta issued in favour of respondents 3 and 4, has not been considered in time, they have preferred the present Writ Petition.

4. There is no representation for respondents 3 and 4.

5. The learned Government Advocate for respondents 1 and 2 submitted that the relevant form, namely Form VI, has now been uploaded in the Registration Department's website and that the petitioners can apply through online, for rectification of entries.

6. 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'].

7. This Court is of the view that if the petitioners are granted liberty to make an appropriate online application under the relevant form, within



W.P.No.7523 of 2023

WEB COPY

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.

8. In the light of the above observations, the petitioners herein are 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, 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 official respondents herein 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 petitioners, 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.



W.P.No.7523 of 2023

WEB COPY

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

No costs.

13.04.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order
vga

To

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W.P.No.7523 of 2023

M.S.RAMESH,J.

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W.P.No.7523 of 2023

13.04.2023