



W.P.No.6868 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.6868 of 2023

Nallaya Gounder

...Petitioner

Vs

1.The District Collector, Namakkal
District, District Collectorate,
Tiruchengode Road, Namakkal.

2.The Revenue Divisional Officer,
Namakkal, Mohanur Road,
Namakkal Town, Namakkal District.

3.The Tasildar, Namakkal Taluk,
Mohanur Road, Namakkal Town,
Namakkal District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent herein to consider the petitioner's representation dated 18.07.2022 seeking to issue patta in the petitioner's name for the land morefully described in the suit schedule of property in O.S.No.297 of 2014 on the file of the Principal District Munsif Court at Namakkal comprised in S.No.5/1 of Illayapuram Village, Namakkal Taluk pursuant to the judgment and decree dated 29.11.2021 made in A.S.No.11 of 2016 on the file of the



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Principal Subordinate Court at Namakkal.

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For Petitioner : Mr.T.L.Thirumalaisamy
For Respondents : Mr.P.Sathish,
Additional Government Pleader

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed this writ petition seeking a direction to the third respondent to consider his representation dated 18.7.2022 for the grant of patta to his land comprised in S.No.5/1 of Illayapuram Village, Namakkal Taluk pursuant to the judgment and decree dated 29.11.2021 made in A.S.No.11 of 2016 on the file of the Principal Subordinate Court at Namakkal.

3. The learned Additional Government Pleader submitted that the relevant form, namely Form II, has now been uploaded in the Registration Department's website and that the petitioner can apply through online.

4. The Tamil Nadu Patta Pass Book Act prescribes the mode of making an application for issuance of Patta to be in Form II, as specified



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under Section 3(4) of the Patta Pass Book Act, 1983 [hereinafter referred to as 'the Act'], read with Rule 3(2) of the Tamil Nadu Patta Pass Book Rules, 1987 [hereinafter referred to as 'the Rules'], within a period of 30 days from the date specified in the notice under Section 3(3) of the Act.

5. 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.

6. In the light of the above observations, the petitioner herein is granted liberty to make an application in Form II through online, as specified under Section 3(4) of the Act, read with Rule 3(2) 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 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,



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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.

7. 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

To

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District, District Collectorate,
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M.S.RAMESH,J.

RS/SNI

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