



W.P.No.7956 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7956 of 2023

M.Madeswari

...Petitioner

Vs

1.The Revenue Divisional Officer,
Mohanoor Road, Namakkal
District, Namakkal.

2.The Tahsildar, Kollimalai Taluk,
Namakkal District, Namakkal.

3.Paulraj

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 20.12.2022 to cancel the sub-division made in S.No.675 and New S.No.1595, Kollimalai Ariyur Nadu, Namakkal District and to give opportunity to the petitioner and other joint patta holders before sub-dividing the property.



W.P.No.7956 of 2023

For Petitioner : Mr.SP.Yuvaraj

For Respondents 1 & 2 : Mr.V.Veluchamy
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the official respondents. Since this Court is directing the Tahsildar concerned to consider the petitioner's request after giving notice to all the parties concerned, notice to the private respondent is dispensed with.

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

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



W.P.No.7956 of 2023

4. 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'].

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 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 Tahsildar concerned



W.P.No.7956 of 2023

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.

7. With the above directions, the Writ Petition stands disposed of. No costs.

15.03.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

To

1.The Revenue Divisional Officer,
Mohanoor Road, Namakkal
District, Namakkal.

2.The Tahsildar, Kollimalai Taluk,
Namakkal District, Namakkal.

RS/hvk

4/5



WEB COPY



W.P.No.7956 of 2023

M.S.RAMESH,J.

RS/hvk

W.P.No.7956 of 2023

15.03.2023