



W.P.No.7511 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7511 of 2023

and

W.M.P.No.7611 of 2023

S.Sharmila Sakthivel

...Petitioner

Vs

1.The Revenue Divisional Officer,
North Madras Division at Madhavaram,
Chennai - 600 066.

2.The Tahsildar,
Perambur Taluk, Perambur,
Chennai - 600 011.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings Na.Ka.No.B1/3901/2022, dated 02.12.2022 and quash the same and consequently directing the respondents to issue patta in the petitioner's name in respect of the house site at Plot No.98 situated in S.No.159, (T.S.No.67, Block No.41), Kodungaiyur Village, Perambur Taluk, Chennai - 118 to the extent of 922 sq.feet to the petitioner.



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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.P.Murugan Raja,
Government Advocate

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 herein had given a representation to the first respondent on 11.10.2022 to rectify the entries in the patta in respect of the house site at Plot No.98 situated in S.No.159, (T.S.No.67, Block No.41), Kodungaiyur Village, Perambur Taluk, Chennai - 118. Since the said representation was not considered, the present Writ Petition has been filed.

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 for rectification of entries.



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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 second respondent herein shall consider it on its own merits and in accordance



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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 any other persons who may be interested in the title/possession of the subject property, within a period of eight 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. Consequently, connected miscellaneous petition is closed.

13.03.2023

Index:Yes/No

Speaking order/Non-speaking order

hvk



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To

- 1.The Revenue Divisional Officer,
North Madras Division at Madhavaram,
Chennai - 600 066.
- 2.The Tahsildar,
Perambur Taluk, Perambur,
Chennai - 600 011.



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M.S.RAMESH,J.

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