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W.P.No.9108 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9108 of 2023

Anjali Mehta

...Petitioner

Vs

1.The District Collector,
District Collectorate, Nilgiris,
Udhagamandalam – 643 001.

2.The Revenue Divisional Officer,
Coonoor, Nilgiris.

3.Tahsildar,
Kotagiri, Nilgiris.

4.Srinivasan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to consider my representation dated 21.04.2022 and to conduct enquiry within a time frame.

For Petitioner : Mr.R.Krishna Prasad
for M/s.Sarvabhauman Associates

For R1 to R3 : Mr.V.Veluchamy,
Additional Government Pleader



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ORDER

Heard Mr.R.Krishna Prasad, learned counsel for the petitioner and Mr.V.Veluchamy, learned Additional Government Pleader for the respondents 1 to 3.

2. Since this Court is directing the petitioner to make appropriate online application with a consequential direction to the third respondent to consider the same, after giving due opportunity to the fourth respondent herein, notice to the fourth respondent is hereby dispensed with.

3. The grievance of the petitioner is that his representation seeking for removing the illegal inclusion of fourth respondent's name in the patta has not been considered in time and hence, he has preferred the present Writ Petition.

4. The learned Additional Government Pleader submitted that the relevant form, namely Form VI, has now been uploaded in the



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Registration Department's website and that the petitioner can apply through online, for rectification of entries.

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,



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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 and the fourth respondent, 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.

24.03.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

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To

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M.S.RAMESH,J.

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