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W.P.No.9082 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.9082 of 2023

1.Poonkodi

2.Papaal

...Petitioners

Vs

1.The Tahsildar,
Uthukuli Taluk,
Tiruppur District.

2.Taluk Surveyor,
Uthukuli Taluk,
Tiruppur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioners' representation dated 26.09.2022 seeking to process the petitioner's application No.2021/0105/32/187396 dated 20.11.2021 for issuance of sub division patta transfer within a stipulated time.

For Petitioners : Mr.A.Swaminathan

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



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ORDER

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

2. The grievance of the petitioners is that their representation seeking for issuing separate patta by sub-dividing the portion belonging to them have not been considered in time and hence, they have preferred the present Writ Petition.

3. The learned Government Advocate 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.

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



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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 petitioners are 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 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 first respondent 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



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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.

24.03.2023

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

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To

1.The Tahsildar,
Uthukuli Taluk,
Tiruppur District.

2.The Taluk Surveyor,
Uthukuli Taluk,
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M.S.RAMESH,J.

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