



W.P.No.9352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9352 of 2023

- 1.Mrs.T.Pushpa
- 2.Mrs.A.Suseela
- 3.Mrs.V.Alamelu

Petitioners 1 to 3 rep.by their
POA Mr.P.J.A.Arumugam

...Petitioners

Vs

- 1.The District Collector,
Chennai Collectorate,
Singaravelar Maaligai,
No.62, Rajaji Salai,
Chennai-1.
- 2.The Revenue Divisional Officer,
Central Chennai Division,
Anna Nagar West Extension,
Chennai.
- 3.The Tahsildar, Egmore Taluk Office,
88, Spur Tank Road, Chetpet,
Chennai-31.
- 4.R.Abdul Suban
- 5.Rehana Sultana

...Respondents



W.P.No.9352 of 2023

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent herein to conduct patta cancellation enquiry and pass suitable orders based on the representation dated 13.02.2023 in respect of issuance of patta in 2022/0153/02/03357 DTR dated 23.09.2022 and the subsequent patta issued vide 2022/0153/02/040209 DTR dated 19.11.2022 in respect of the petitioners' property in old Door No.24, New door No.108, Veerabathra Aachari Street as per Document No.1078 of 1961 measuring to an extent of 957 sq.ft. comprised in S.F.No.1247/1, Old R.S.No.22, Egmore Village and Taluk Chennai after verifying the relevant revenue records in accordance with law.

For Petitioners : Mr.K.Chozan

For Respondents 1 to 3 : Mr.P.Sathish,
Additional Government Pleader

ORDER

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



W.P.No.9352 of 2023

WEB COPY

2. The grievance of the petitioners is that their representation seeking for transfer of Patta has not been considered in time and hence, they have preferred the above 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 petitioners can apply through online.

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 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



W.P.No.9352 of 2023

WEB COPY

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 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 petitioners, the private respondents herein, 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.



W.P.No.9352 of 2023

7. With the above directions, the Writ Petition stands disposed of.

No costs.

27.03.2023

2/2

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

To

1.The District Collector, Chennai Collectorate,
Singaravelar Maaligai, No.62, Rajaji Salai,
Chennai-1.

2.The Revenue Divisional Officer,
Central Chennai Division,
Anna Nagar West Extension,
Chennai.

3.The Tahsildar, Egmore Taluk Office,
88, Spur Tank Road, Chetpet,
Chennai-31.

RS/SNI



WEB COPY



W.P.No.9352 of 2023

M.S.RAMESH,J.

RS/SNI

W.P.No.9352 of 2023

27.03.2023

2/2