



W.P.No.10267 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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R.Krishnamurthy

...Petitioner

Vs.

1.The District Collector,
Namakkal District, Namakkal.

2.The District Revenue Officer,
Namakkal District.

3.The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

4.Mrs.K.C.Radha

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to initiate action on the petitioner's appeal dated 06.10.2021 for cancellation of patta issued by the 3rd respondent in Patta No.3349 of Kambilichi Kadu, Munchanur Village, Tiruchengode Taluka, Namakkal District to and in favour of the 4th respondent herein within a time frame to be fixed by this Court.



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For Petitioner : Mr.K.A. Mariappan

For R1 to R3 : Mr.P. Sathish,
Additional Government Pleader

ORDER

Heard Mr.K.A. Mariappan, learned counsel for the petitioner and Mr.P. Sathish, learned Additional Government Pleader for the respondents 1 to 3.

2. Since this Court is directing the third respondent to consider the petitioner's representation, after giving due notice and opportunity to the fourth respondent, notice to the fourth respondent is hereby dispensed with.

3. The petitioner herein had given a representation dated 06.10.2021 to the second respondent, seeking for cancellation of patta No.3349 of Kambilichi Kadu, Munchanur Village, Tiruchengode Taluk, Namakkal District. Thereafter, the Tahsildar has forwarded the petitioner's representation to the Revenue Inspector, for taking action on



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the same. Since there was no further progress, the petitioner 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 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 concerned Tahsildar to



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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, 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 concerned Tahsildar 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 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 twelve (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.



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

No costs.

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Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

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To

- 1.The District Collector,
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Tiruchengode Taluk,
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M.S.RAMESH,J.

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