



W.P.No.10118 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10118 of 2023

Tamilselvi

...Petitioner

Vs

1.The District Collector,
Villupuram District.

2.The Revenue Thasildar,
Tindivanam Taluk,
Villupuram District.

3.Banu

4.A.Sathish

...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 the petitioner's representation dated 25.01.2023 and to issue Patta to the petitioner in respect of the property comprised in Survey No.71/20, New Survey No.101/7 and 101/9 measuring an extent of 5 cents situated in Ooral Village, Tindivanam Taluk, Villupuram as per the



W.P.No.10118 of 2023

proceedings in Na.Ka.No.A4/1740/2022 dated 05.11.2022 of the second respondent within a time frame.

For Petitioner : Mr.M.Elumalai

For R1 & R2 : Mr.P.Sathish,
Additional Government Pleader

ORDER

Heard Mr.M.Elumalai, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader for the respondents 1 and 2.

2.Since this Court is directing the second respondent to consider the petitioners' representation, after giving due opportunity to the respondents 3 and 4 herein, notice to the respondents 3 and 4 is dispensed with.

3.The grievance of the petitioner is that her representation seeking for issuance of a Patta has not been considered by the respondents in time and hence, she has preferred the present Writ Petition.



W.P.No.10118 of 2023

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4.The learned Additional Government Pleader submitted that the relevant form, namely Form II, has now been uploaded in the Registration Department's website and that the petitioner can apply through online.

5.The Tamil Nadu Patta Pass Book Act prescribes the mode of making an application for issuance of Patta to be in Form II, as specified under Section 3(4) of the Patta Pass Book Act, 1983 [hereinafter referred to as 'the Act'], read with Rule 3(2) of the Tamil Nadu Patta Pass Book Rules, 1987 [hereinafter referred to as 'the Rules'], within a period of 30 days from the date specified in the notice under Section 3(3) of the Act.

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.



W.P.No.10118 of 2023

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7.In the light of the above observations, the petitioner herein is granted liberty to make an application in Form II through online, as specified under Section 3(4) of the Act, read with Rule 3(2) 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 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 respondents 3 and 4 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.

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

No costs.

31.03.2023

Index:Yes/No
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W.P.No.10118 of 2023

To

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W.P.No.10118 of 2023

M.S.RAMESH,J.

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W.P.No.10118 of 2023

31.03.2023