



W.P.No.10431 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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1.M.Nirmaladevi

2.T.Saroja

...Petitioners

Vs

1.The District Collector,
The Office of District Collector,
Collectorate, Erode District – 638 011.

2.The Revenue Divisional Officer,
The Office of Revenue Divisional Officer,
Erode Taluk, Erode District – 638 001.

3.The Tahsildar,
The Office of Tahsildar,
Perundurai Taluk,
Erode District – 638 052.

4.T.Somasundharam

...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 30.05.2022 and take



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appropriate action within a time frame that may be fixed by this Court and consequently direct them to remove the 4th respondent name from Patta No.3709 and 3710 by considering the petitioner's representation dated 30.05.2022.

For Petitioners : Ms.S.Varsha

For R1 to R3 : Ms.Akila Rajendran
Government Advocate

ORDER

Heard Ms.S.Varsha, learned counsel for the petitioners and Ms.Akila Rajendran, learned Government Advocate for the respondents 1 to 3.

2.Since this Court is directing the third respondent to consider the online application to be submitted by the petitioners for modification of entry, after giving due opportunity to the fourth respondent, notice to the fourth respondent is hereby dispensed with.

3.The grievance of the petitioners is that their representation seeking for removal of 4th respondent's name from Patta Nos.3709 and



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3710 have not been considered in time and hence, they have preferred the present Writ Petition.

4.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 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 petitioners herein 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



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contemplated under the relevant Act and Rules, the ends of justice could be secured.

7.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/third 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 due notice to the petitioners and the fourth respondent, as well as all 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.



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

No costs.

05.04.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

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To

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- 3.The Tahsildar,
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M.S.RAMESH,J.

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