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W.P.No.12143 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12143 of 2023

1.L.Karthikeyan
2.S.Jayabalan
3.K.Govindarajan
4.A.Jabamalai

...Petitioners

Vs

1.The Thasildar, Maduravoyal
Taluk, Phase-II, II Main Road,
Nolambur, Chennai-95.

2.Tamil Nadu Housing Board,
rep.by its Chairman & Managing
Director, Head Office at CMDA
Complex, E&C Market Road,
Koyambedu, Chennai-107.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to process the petitioners' applications for patta dated 13.03.2023 and 14.03.2023 and grant patta for the petitioners' plots situated in the layout viz. Sri Lakshmi Nagar, Alwarthiru Nagar, Chennai-87 comprised in Survey Nos.373/2A, 373/2B, 374/2 and 375 of Nerkundram Village, Maduravoyal Taluk, Chennai District without insisting no objection from the 2nd Respondent within a time frame as may be fixed by this Court.



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For Petitioners : Ms.K.Sree Ranjini
For Respondent-1 : Mr.R.P.Murugan Raja,
Government Pleader
For Respondent-2 : Mr.A.M.Ravindranath Jeyapal

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 applications seeking for issuance of a Patta have not been considered by the Tahsildar in time and hence, they have preferred this Writ Petition.

3. The learned Government Advocate submitted that the relevant form, namely Form II, 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 issuance of Patta to be in Form II, as specified under Section 3(4) of the Patta Pass Book Act, 1983 [hereinafter referred



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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.

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 applications 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 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 applications, the Tahsildar concerned shall consider them on their 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



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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 12 weeks from the date of receipt of the online applications (or) from the date of receipt of a copy of this order, if the online applications have already been made and are pending.

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

No costs.

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Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

To

1. The Thasildar, Maduravoyal Taluk, Phase-II, II Main Road,
Nolambur, Chennai-95.

2. The Chairman & Managing Director, Tamil Nadu Housing Board,
Head Office at CMDA Complex, E&C Market Road, Koyambedu,
Chennai-107.

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M.S.RAMESH,J.

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