



W.P.No.11920 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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K.Murugan

...Petitioner

Vs

- 1.The District Collector, Salem.
- 2.The District Revenue Officer, Salem.
3. The Revenue Divisional Officer, Sankagiri.
4. The Director of Survey and Settlement,
PWD Estate, Chepauk, Triplicane-600 005.
5. The Director, Survey and Land Records, Salem.
6. The Tahsildar, Sankagiri Taluk, Sankagiri.
7. The Assistant Engineer (Irrigation),
Mettur Dam, Canal Division,
Kullampatti, Salem District

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to initiate action on the representation of the petitioner dated 29.11.2022 and to



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rectify the survey error in Survey Number No.107-Part, Kavanoor, Koneripatti Agraharam Village, Sankagiri Taluk, Salem District erroneously classified as Survey Number 107/4-irrigation canal and to issue patta to the petitioner for his portion after due measurement and survey.

For Petitioner : Mr.T.M.Hariharan
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

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 petitioner is that his representation, seeking to rectify the survey error in Survey Number 107-Part, Kavanoor, Koneripatti Agraharam Village, Sankagiri Taluk, Salem District erroneously classified as Survey Number 107/4-irrigation canal and to issue patta to the petitioner for his portion after due measurement and survey, have not been considered in time and hence, he has preferred the present Writ Petition.

3. The learned Special Government Pleader submitted that the



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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.

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 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.

6. In the light of the above observations, the petitioner herein is



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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 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, 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.

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

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M.S.RAMESH,J.

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