



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12592 of 2023

C.Manjula

... Petitioner

Vs.

- 1.The District Registrar,
O/o. District Registrar,
Thiruvallur District.
- 2.The Sub-Registrar,
O/o. Gummidipoondi Sub-Registrar,
Gummidipoondi, Thiruvallur District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Ponneri Division, Thiruvallur District.
- 4.The Thasildhar,
O/o. Gummidipoondi Thasildhar,
Cummidipoondi, Thiruvallur District.

5.M.Vinayagam

6.Visalatchi

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent 1st to 4th to



consider the petitioner representation dated 16.02.2023 with regard to change of patta in favour of 6th respondent.

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For Petitioner : Mr.P.Muthamizh Selvakumar
For R1 to R4 : Mr.S.Ravichandran
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 4, to consider the petitioner's representation dated 16.02.2023 with regard to change of patta in favour 6th respondent.

2. The learned counsel for the petitioner states that the petitioner had submitted an application on 16.02.2023 to all the respondents to grant patta in his favour in respect of the properties bearing S.No.416/3 and the extent of the property is 0.05 cent situated at Arambakkam Village, Gummidipoondi Taluk, Thiruvallur District.

3. Mere submission of representation in this regard would be insufficient to consider the case of the writ petitioner. In order to secure patta or to cancel the patta or to effect mutation in revenue records, the person



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aggrieved has to submit an application by following the procedures as contemplated under the Patta Pass Book Act and by paying necessary fee prescribed by the Government. Only if the application is submitted in a prescribed format, the competent authority would be in a position to conduct an enquiry and pass orders on merits.

4. In the present case, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 furnished a copy of the written instructions given by the Sub Registrar of Gummidipoondi stating that the Subject Property belongs to third party and therefore, patta cannot be granted in favour of the petitioner. When the Sub Registrar has verified the title / ownership of the petitioner and informed this Court that the property stands in the name of third party, then the petitioner has to approach the Competent Civil Court of Law for the purpose of establishing her Civil Right.

5. In view of the facts and circumstances, the petitioner is at liberty to approach the Competent Civil Court of Law for the purpose of redressal of her grievances.



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6. With this liberty, this Writ Petition stands disposed of. No costs.

26.04.2023

Jeni

Index : Yes

Speaking order

Neutral Citation : Yes

To

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- 4.The Thasildhar,
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S.M.SUBRAMANIAM, J.

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