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W.P.No.12028 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12028 of 2023

1.G.Ravindhar

2.R.Arjun

...Petitioners

Vs

1. The District Revenue Officer,
NSC Bose Road,
Kuralagam First Floor,
Esplanade, Chennai-600 008.

2. The Revenue Divisional Officer,
GRIHALAKSHMI APARTMENT,
472, Thiruvottiyur High Road,
Tondiarpet, Chennai North,
Chennai-600 081.

3. The Tahsildar,
Tondaiarpet Taluk Office,
Rettaikuzhi Street, Tondaiarpet,
Chennai-600 081.

4. The Deputy Tahsildar,
Tondaiarpet Taluk Office,
Rettaikuzhi Street, Tondaiarpet,
Chennai-600 081

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to restore the entry made in Patta No.C.A.No.1419/10 dated 02.09.2010 relating to property in R.S.No.3957/21 of Tondaiarpur Division in Block No.75 for 47 Sq.Mt and 04 Acre (Area 4820 Sq Ft or @ 2 Grounds and 20 Sq.Ft) and restore the patta in the name of the first petitioner.

For Petitioners : Mr.M.Sriram
For Respondents : Ms.Akila Rajendran
Government Advocate

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 first petitioner is that his representation dated 14.03.2023, seeking to restore the entry made in Patta No.C.A.No.1419/10 dated 02.09.2010 relating to property in R.S.No.3957/21 of Tondaiarpur Division in Block No.75 for 47 Sq.Mt and 04 Acre (Area 4820 Sq Ft or @ 2 Grounds and 20 Sq.Ft) and restore the patta in his name, has not been considered in time and hence, he has preferred the present Writ Petition.



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3. The learned Additional Government Pleader 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.

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 first 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.



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

19.04.2023

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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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