



W.P.No.13103 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.13103 of 2023

K.Rahinam

...Petitioner

-Vs-

1. The District Collector,
Salem,
Salem District.
2. The District Revenue Officer,
Salem,
Salem District.
3. The Revenue Divisional Officer,
Yerkadu,
Yerkadu Taluk,
Salem District.
4. The Tahsildar,
Muluvi Post,
Yerkadu Taluk,
Salem District- 636 602.
5. A.Jayakumar
6. S.Jayaraj Krishnan

...Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 4th respondent to delete the patta No.46 name of the 5th respondent and deceased Rajammal and to grant new patta in the name of the petitioner by considering the petitioner's representation dated 21.03.2023.

For Petitioner : Mr.K.Prabhakaran

For Respondents :
(for R1 to R4) : Mr.S.Ravichandran, AGP

ORDER

The relief sought for in the present writ petition is to direct the 4th respondent to delete patta No.46 which is in the name of the 5th respondent and deceased Rajammal and to grant new patta in the name of the petitioner by considering the petitioner's representation dated 21.03.2023.

2.The learned Additional Government Pleader brought to the notice of this Court that the petitioner has not submitted an appropriate application before the competent authority for considering his grievances.



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The representation reveals that the petitioner sent the same application right from the Hon'ble Chief Minister to the Village Administrative Officer.

3.Any statutory application or appeal is to be submitted in a prescribed format by paying the prescribed fee if any, and by enclosing all relevant documents. On receipt of such application or appeal, the authority competent must register the same and issue summons to the parties, conduct an inquiry and thereafter decide the issues on merits and in accordance with law. The procedures contemplated under the Patta Passbook Rules, are to be scrupulously followed by the authorities, while dealing with the applications or appeals. Merely sending a representation to all the authorities right from the Hon'ble Chief Minister to the Village Administrative Officer cannot be construed as an appropriate statutory application under the provisions of the Patta Passbook Act. Mere representation would be insufficient, since the authorities may not be in a position to consider the issues in a proper manner.

4.Thus, the petitioner is at liberty to submit an appropriate application before the competent authority by enclosing all the relevant



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documents and by paying the prescribed fees, if any and in the event of receiving any such application, the competent authority shall consider the same and pass appropriate orders as expeditiously as possible.

5. Accordingly, the writ petition stands **disposed of**. No costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

28.04.2023

To

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Salem District.
3. The Revenue Divisional Officer,
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Yerkadu Taluk,
Salem District.
4. The Tahsildar,
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Salem District- 636 602.



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S.M.SUBRAMANIAM. J.,

(sha)

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