



W.P.No.17434 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17434 of 2021
and WMP No..18512 of 2021

R.Sekar

...Petitioner

Vs

1. The Tahsildar,
Ponneri,
Tiruvallur District.

2. K.L.Kiran
3. N.Selvi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent herein to cancel the patta granted in favour of the 2nd respondent and to issue patta to the petitioner in respect of the property measuring 16.9 cents of land comprised in Survey No.103/7, Chenrambakkam Village, Ponneri Taluk, Tiruvallur District pursuant to his representation dated 12.08.2020 and the subsequent reminder dated 23.04.2021.

For Petitioner : Mr.V.Kannan
For Respondents : Ms.Akila Rajendran
Government Advocate
For R.1
No appearance for R.2 and R.3



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ORDER

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Heard Mr.V.Kannan, learned counsel for the petitioner and Ms.Akila Rajendran, learned Government Advocate for the respondents.

2. The grievance of the petitioner is that his representation dated 12.08.2020, seeking to cancel the patta granted in favour of the 2nd respondent and to issue patta to the petitioner in respect of the property measuring 16.9 cents of land comprised in Survey No.103/7, Chenrambakkam Village, Ponneri Taluk, Tiruvallur District has not been considered in time and hence, he has preferred the present Writ Petition.

3. The learned Government Advocate 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



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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 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,



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M.S.RAMESH,J.

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after giving notice to the petitioner, private respondents 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. Consequently, connected miscellaneous petition is closed.

17.04.2023

Index:Yes/No
Neutral Citation:Yes/No
Speaking order/Non-speaking order
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To

The Tahsildar,
Ponneri,
Tiruvallur District.

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