



WEB COPY



W.P.No.17275 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P.No.17275 of 2023

M.Babu

... Petitioner

**Vs.**

1. The District Collector,  
Dharmapuri District.

2. The Revenue Divisional Officer,  
Harur, Dharmapuri District.

3. The Tahsildar,  
Pappireddipatti Taluk,  
Dharmapuri District.

4. Subramani

... Respondents

**Prayer :-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to pass orders on the petitioner's representation dated 9.05.2018 to cancel the patta No. 231 bearing Survey No. 69/2B2 to an extent of 5 cents for which the 3rd respondent already initiated enquiry proceedings by vide Na.Ka.No. 6122/ 2020/ B4 dated 13.07.2021 and dispose of the same within the time frame that may fix by this Hon'ble Court.



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For Petitioner : Mr.Sarokia Mani Raj  
For Respondents :  
(for R1 to R3) : Mr.D.Ravichander, Spl.G.P.,  
(for R4) : Ms.Mahasree Thangaraj.

### **ORDER**

The relief sought for in the present writ petition is to direct the respondent to pass orders on the petitioner's representation dated 09.05.2018, to cancel the patta No. 231, bearing Survey No. 69/2B2, to an extent of 5 cents, for which the 3rd respondent already initiated enquiry proceedings by vide Na.Ka.No. 6122/ 2020/ B4, dated 13.07.2021.

2.The writ petitioner submits that he is the owner of the land in Survey No.69/2B, to an extent of 0.05.5 Hectare, situated in Jammanahalli Revenue Village, Pappireddipatti Taluk. The grievances of the writ petitioner is that the patta has been erroneously granted in the name of the 4th respondent in view of certain confusion in the survey numbers. In order to correct the error and to cancel the patta granted in favour of the 4th respondent, the petitioner has submitted a representation on 09.05.2018. The said representation has not been disposed of for the past



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about 4 ½ years and therefore, the petitioner is constrained to move the present writ petition.

3.The application submitted by the writ petitioner is to be considered by conducting an enquiry and by affording opportunity to all the parties. The procedures contemplated under the Patta Passbook Rules have to be followed before passing final orders. The petitioner states that the patta has been erroneously granted in the name of the 4th respondent in respect of the property belonging to him. That being the facts stated in the writ petition, the second respondent Revenue Divisional Officer, Harur, is directed to conduct an enquiry by following the procedures as contemplated under the Patta Passbook Act and Rules framed thereunder and pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4.With these observations, the writ petition stands **disposed of**. No costs.

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

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**S.M.SUBRAMANIAM. J.,**

(sha)

To

1. The District Collector,  
Dharmapuri District.
2. The Revenue Divisional Officer,  
Harur, Dharmapuri District.
3. The Tahsildar,  
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Dharmapuri District.

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