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W.P.No.20740 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.20740 of 2023

Kaliaperumal

... Petitioner

Vs.

1.The Tahsildar,
Kurinjipadi , Kurinjipadi Taluk,
Cuddalore District.

2.The Tahsildar (Natham),
Kurinjipadi , Kurinjipadi Taluk,
Cuddalore District

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, call for the records and quash the proceedings of the 1st respondent in Na.Ka.A1/1415/ 2023 dated 13.06.2023 and consequently directing the respondents to issue separate patta to the petitioner for his properties bearing Natham S.Nos.281/3 and 281/4 Ac.0.06 in Adoor Agaram Village, Kurinjipadi Taluk, Cuddalore district, by considering the representations dated 18.02.2023 and 28.04.2023 given by the petitioner.



W.P.No.20740 of 2023

For Petitioner : Mr.D.Baskar

For Respondents :
(for R1 & R.2) : Mr.C.Jayaprakash, Govt. Advocate

ORDER

The relief sought for in the writ petition is to call for the records and quash the proceedings of the 1st respondent in Na.Ka.A1/ 1415/ 2023 dated 13.06.2023 and consequently directing the respondents to issue separate patta to the petitioner for his properties bearing Natham S.Nos.281/3 and 281/4 Ac.0.06 in Adoor Agaram Village, Kurinjipadi Taluk, Cuddalore district, by considering the representations dated 18.02.2023 and 28.04.2023 given by the petitioner.

2.The issues raised in the present writ petition were adjudicated by this Court in a batch of writ petitions in ***W.P.Nos.262 of 2018 & etc.***, batch, and a judgment was delivered on ***09.06.2023*** and the relevant paragraphs of the judgment are extracted hereunder:

“33. In view of the anomalous situation created on account of the inconsistency in dealing with the grievances of the aggrieved persons, this Court is inclined to pass the



W.P.No.20740 of 2023

WEB COPY

following orders:

- (1) The Commissioner of Land Administration is directed to issue orders to all the competent authorities under his control across the State of Tamil Nadu to maintain registers for entertaining the applications/ representations /appeals filed in a prescribed format by complying with the procedures under the Patta Pass Book Act, 1983 and the Rules in force.*
- (2) Every such application filed by the aggrieved persons are to be registered in the book of register and serial number has to be assigned in the order of seniority and such seniority assigned must be informed/communicated to the applicants/appellants.*
- (3) All the applications/appeals by the respective parties are to be taken up for hearing/enquiry in the order of seniority as far as possible and without causing any discrimination amongst the similarly placed applicants/appellants. Priority for hearing/enquiry is to be granted only if the applicant/appellant is able to establish that there is a genuine urgency, which is to be recorded by the Competent authority, while taking up the matter for hearing/enquiry. All other applications/appeals are to be*



WEB COPY



W.P.No.20740 of 2023

(7) *The respondents are directed not to entertain applications under the Patta Pass Book Act, if the Civil Suits between the parties are pending before the Court of Law. In such circumstances, the applicants/appellants may be granted liberty to approach the competent authorities only after resolving the issues before the Civil Court of Law. The Authorities are directed to keep the revenue proceedings in abeyance till such time the civil disputes reach finality between the parties.*

(8) *The Commissioner of Revenue Administration is directed to issue consolidated instructions/circular to all the subordinate officials based on the orders passed by this Court and ensure proper implementation to make the public administration more efficient, since it is a Constitutional mandate.*

(9) *The Higher Authorities are directed to conduct periodical review to ensure that the procedures are followed scrupulously and in the event of any lapses, negligence or dereliction of duty on the part of the authorities, appropriate disciplinary actions are to be initiated under the Service Rules.*

(10) *The competent authorities are directed to pass speaking*



WEB COPY



W.P.No.20740 of 2023

orders and communicate the same to all the parties concerned in the manner prescribed under the Rules of Public Administration.”

3.In view of the fact that the case of the petitioner is also similar to that of the cases (cited *supra*), the case of the petitioner is also to be considered on the same line. Accordingly, this writ petition stands **disposed of**. No costs.

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

13.07.2023

To
1.The Tahsildar,
Kurinjipadi , Kurinjipadi Taluk,
Cuddalore District.

2.The Tahsildar (Natham)
Kurinjipadi , Kurinjipadi Taluk,
Cuddalore District



WEB COPY



W.P.No.20740 of 2023

S.M.SUBRAMANIAM. J.,

(sha)

W.P.No.20740 of 2023

13.07.2023