



W.P.No.11520 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.4.2023

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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D.Mahalakshmi

...Petitioner

Vs

1.The Tahsildar, Mambalam
Taluk, New No.1, Old No.2,
Bharathidasan Salai,
K.K.Nagar, Chennai-78.

2.The District Collector,
Chennai District, Chennai-1.

3.Tamil Nadu Urban Habitat
Development Board,
(formerly known as Tamil Nadu
Slum Clearance Board), No.5,
Kamarajar Salai, Chepauk,
Chennai-5.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant patta in favour of the petitioner for the schedule mentioned property in her name

Schedule of Property

A piece of land and building at door No.114/1, Subbu Pillai



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Thottam, 1st Street, T.Nagar, Chennai-600017 comprised in Paimash Nos.890, 891 and 892, R.S.No.171 and patta No.355, T.S.No.1 (Part), Block-29 measuring 1,100 sq.ft. and 300 sq.ft. common pathway and bounded on the

north by : plot belonging to P.Chandrasekar

south by : plot belonging to Ramalingam

east by : plot allotted by Corporation

west by : plot belonging to P.Natarajan and 4 ft. common path
(as mentioned in partition deed No.959 of 2007, S.R.O., T.Nagar)

For Petitioner : Mr.K.V.Ananthakrishnan for
Mr.K.Thulasiraman

For Respondents 1 & 2 : Mr.V.Veluchamy,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for respondents 1 and 2. Since this Court is directing the first respondent to consider the petitioner's application after giving notice to all the parties concerned, notice to the third respondent is dispensed with.

2. The grievance of the petitioner is that her request seeking for issuance of a Patta has not been considered by the Tahsildar in time and



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hence, she has preferred this Writ Petition.

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3. The learned Additional Government Pleader submitted that the relevant form, namely Form II, has now been uploaded in the Registration Department's website and that the petitioner can apply through online.

4. The Tamil Nadu Patta Pass Book Act prescribes the mode of making an application for issuance of Patta to be in Form II, as specified under Section 3(4) of the Patta Pass Book Act, 1983 [hereinafter referred to as 'the Act'], read with Rule 3(2) of the Tamil Nadu Patta Pass Book Rules, 1987 [hereinafter referred to as 'the Rules'], within a period of 30 days from the date specified in the notice under Section 3(3) of the Act.

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.



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6. In the light of the above observations, the petitioner herein is granted liberty to make an application in Form II through online, as specified under Section 3(4) of the Act, read with Rule 3(2) 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 Tahsildar concerned 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.

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M.S.RAMESH,J.

RS/hvk

Index:Yes/No

Neutral Citation:Yes/No

Speaking order/Non-speaking order

To

- 1.The Tasildar, Mambalam Taluk, New No.1, Old No.2,
Bharathidasan Salai, K.K.Nagar, Chennai-78.
- 2.The District Collector, Chennai District, Chennai-1.
- 3.Tamil Nadu Urban Habitat Development Board,
(formerly known as Tamil Nadu Slum Clearance Board),
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