



W.P.No.8297 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8297 of 2023

1.P.Sathiya Priya
2.G.Gokulakannan

...Petitioners

Vs

1.The District Collector,
Kanchipuram, Kanchipuram District.

2.The District Revenue Officer,
Kanchipuram District, Kanchipuram.

3.The Tahsildar, Kundrathur
Taluk, Kanchipuram District.

4.S.Rajendran

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to cancel the patta No.131 of Padappai Village as to Survey Nos.456/1A1, 456/1A2, 456/1A3 and 456/1B issued in the name of 4th respondent by the respondents 1 to 3.

For Petitioners : Mr.M.Venkatesan

For Respondents 1 to 3 : Mr.R.P.Murugan Raja,
Government Advocate



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ORDER

WEB COPY Heard the learned counsel for the petitioners and the learned Government Advocate accepting notice for the official respondents. Since this Court is directing the third respondent to consider the petitioners' application after giving notice to all the parties concerned, notice to the private respondent is dispensed with.

2. The grievance of the petitioners is that patta to Survey Nos. 456/1A1, 456/1A2, 456/1A3 and 456/1B has been wrongly issued in the name of the 4th respondent and hence, they have 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 petitioners can apply through online.

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



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Tamil 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 petitioners are 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 petitioners herein are 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 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,



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after giving notice to the petitioners 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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Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

To

1. The District Collector,
Kanchipuram, Kanchipuram District.

2. The District Revenue Officer,
Kanchipuram District, Kanchipuram.

3. The Tahsildar, Kundrathur
Taluk, Kanchipuram District.

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M.S.RAMESH,J.

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