



WEB COPY

W.P.No.34838 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34838 of 2018

and

W.M.P.No.40387 of 2018

S.Meenakshisundaram

... Petitioner

Vs.

1.Commissioner of Land

Administration / Additional Chief Secretary,
Ezhilagam,
Chennai – 5.

2.District Revenue Officer,

O/o, District Revenue Officer,
Theni.

3.Revenue Divisional Officer,

Uthampalayam,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the impugned proceedings in K4/21038/2018 dated 16.10.2018 on the file of the 1st respondent and N.K.No.28391/2016/D4 dated 07.08.2018 on the file of 2nd respondent and quash the same and direct the 2nd respondent to pass order as per the direction of the High Court in the Contempt petition on the report



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submitted by the 3rd respondent in the year 2014, by rectifying the mistakes committed during Updating Registry (UDR) relating to the petitioner's family property having an extent of 1.64.0 Hectare comprised in Survey No.10/4 in Chinna Ovulapuram Village in Uthamapalayam Taluk in Theni District without reference to the circulars issued after date of petitioner's representation dated 15.05.2013 or pendency of any other cases, within reasonable period.

For Petitioner	: Mr.M.Manivasagam For M/s.Manivasagam & Associates
For Respondents	: Mr.C.Jayaprakash Government Advocate

ORDER

The order passed by the Commissioner of Land Administration stating that the civil dispute cannot be adjudicated by the Revenue Authorities on account of pendency of two Civil Suits during the relevant point of time i.e., O.S.No.129 of 2014 and O.S.No.259 of 2015.

2. The learned counsel for the petitioner brought to the notice of this Court that the Suits are already disposed of and the petitioner succeeded in the Suit.



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3. That being the factum, the petitioner has to submit all the relevant documents along with the fresh application to the competent authorities under the provisions of the Tamil Nadu Patta Pass Book Act, 1983 for the purpose of fresh consideration of the issues or to rectify the mistake as the case may be.

4. In view of the development occurred during the pendency of the writ petition, the petitioner is at liberty to submit a fresh application under the provisions of the Patta Pass Book Act to the competent authority, who in turn shall consider the same and pass appropriate orders on merits and in accordance with law and by affording an opportunity to all the parties as expeditiously as possible.

5. The applications, if any submitted by the petitioner is to be considered based on the circular dated 17.07.2023, which has been issued by the Commissioner of Land Administration in Circular No.R1/2005632/2022 for disposing the application.



6. With this liberty, this Writ Petition stands disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

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Index : Yes

Neutral Citation : Yes

Speaking order

To

1.The Commissioner of Land

Administration / Additional Chief Secretary,

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2.The District Revenue Officer,

O/o, District Revenue Officer,

Theni.

3.The Revenue Divisional Officer,

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S.M.SUBRAMANIAM, J.

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