



W.P.(MD) No.12672 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)No.12672 of 2023

and

W.M.P(MD)No.10692 of 2023

M.Pakkirisamy

... Petitioner

-VS-

1.The Tahsildar,
Papanasam Taluk Office,
Thanjavur District.

2.V.Anbalagan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 1st respondent to issue separate patta in the name of 2nd respondent in respect of the land in S.No. 458/4A1 to an extent of 2950 sq.ft at Magimalai Village, Ayyampettai Circle, Papanasam Taluk, Thanjavur District without notice and enquiry with the petitioner.

For Petitioner : Ms.S.Vijayashanthi
For Respondents : Mr.A.Kannan,
Additional Government Pleader for R1



WEB COPY



W.P.(MD) No.12672 of 2023

ORDER

The apprehension of the petitioner is that the first respondent herein would issue a separate pata without issuance of notice to him and without conducting an enquiry.

2. Section 10 of the Tamil Nadu Patta Passbook Act, 1983, contemplates the procedure for the Tahsildar to follow while any modification of entries in the patta pass book, which includes an enquiry to be conducted. As such, the apprehension of the petitioner that the first respondent would grant separate patta to the second respondent without conducting enquiry is baseless.

3. It is needless to point out that in case any application is made by the second respondent or his vendor, seeking for separate patta, the petitioner would be entitled for notice and participation in an enquiry for the proceedings to be initiated under Section 10 of the Tamil Nadu Patta Passbook Act, 1983.



W.P.(MD) No.12672 of 2023

WEB COPY

4. With the above observation, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

25.05.2023

NCC : Yes/No

Index : Yes/No

vsm

Note: Issue order copy on 26.05.2023

To:

The Tahsildar,
Papanasam Taluk Office,
Thanjavur District.



WEB COPY



W.P.(MD) No.12672 of 2023

M.S.RAMESH, J.

vsm

W.P.(MD) No.12672 of 2023

25.05.2023