



WP(MD)No.17098 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.10.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.17098 of 2020

S.Athmanathan

...Petitioner

/Vs./

1.The State of Tamil Nadu,
Rep. by the Principal Secretary,
Personnel and Administrative Reforms Department,
St.George Fort, Chennai-600 009.

2.The District Collector,
Collectorate,
Pudukkottai-622 005,
Pudukkottai District.

3.The District Revenue Officer,
Pudukkottai. Pudukkottai District.

4.The Revenue Divisional Officer,
Aranthangi, Pudukkottai District.

5.The Zonal Deputy Tahsildar,
Silattur/Nagudi,
Aranthangi Taluk, Pudukkottai District.

6.K.Karuppaiah

7.R.Rajagopal

8.Muthumanickam

. ...Respondents



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PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to institute appropriate legal actions against the above named 6th to 8th Respondents on the basis of the Petitioner's representation dated 06.08.2019.

For Petitioner : Mr.B.N.Raja Mohamed

For Respondents : Mr.A.K.Manikkam (R1 to R5)

Special Government Pleader

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the second respondent to initiate legal action against the respondents 6 to 8 based on the representation made by the petitioner on 06.08.2019.

2. The grievance expressed by the petitioner is that the subject property was settled in favour of the eighth respondent through settlement deed dated 12.02.2015. Accordingly, the eighth respondent also obtained transfer of patta in patta no.74 through order dated 01.04.2015. This order was passed by the fifth respondent. According to the petitioner, the transfer of the patta in favour of the eighth respondent was illegal and hence, the petitioner had also filed an appeal before the fourth respondent. The fourth respondent through proceedings dated 15.05.2017 cancelled the patta that was granted in favour of



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the eighth respondent and restored the same in favour of the petitioner.

Thereafter, the petitioner gave a representation to take action against the concerned official, who had transferred the patta in favour of the eighth respondent with respect to subject property. Since the same was not considered, this writ petition has been filed before this Court.

3. Heard Mr.B.N.Raja Mohamed, learned counsel for the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader for the official respondents.

4. In the considered view of this Court, patta that was granted in favour of the eighth respondent has already been cancelled and it has been restored in favour of the petitioner by the fourth respondent. There is a mechanism under the Tamil Nadu Patta Passbook Act, 1983, for reversing the order with respect to issuance of patta. If the Tahsildar had committed a mistake and had issued patta in favour of the eighth respondent, the same was corrected by the Revenue Divisional Officer in appeal and therefore, this correction mechanism provided under the aforesaid Act by itself sufficiently takes care of the grievance of the petitioner.



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5. Infact, patta has been restored in favour of the petitioner through the proceedings of the fourth respondent dated 15.05.2017. Therefore, the dispute has to be brought to an end and the petitioner cannot be allowed to go through one more process of taking action against the concerned official, who granted patta originally in favour of the eighth respondent. In view of the same, this Court is not inclined to grant the relief sought for in this writ petition. This writ petition is disposed of accordingly. No costs.

06.10.2023

NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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TO:-

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N.ANAND VENKATESH, J.

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