



W.P.(MD)No.23574 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.23574 of 2023

and

W.M.P.(MD)Nos.19769 and 19770 of 2023

R.Ramachandran

... Petitioner

versus

1. The Revenue Divisional Officer,
Kumbakonam,
Thanjavur District.

2. The Tahsildar,
Papanasam,
Thanjavur District.

3. The Sub-Registrar,
Sub Registrar Office,
Papanasam.

4. Selvam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Certiorarified Mandamus, to call for



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the records relating to the impugned order in Na.Ka.No.1075/2019/A3 dated 07.04.2022 passed by the 1st respondent and quash the same as illegal and consequently, direct the 3rd respondent to restrain the 4th respondent to register the sale deed in Survey Nos.74/2, 77/7 and 82 at Viluthiyur Revenue Village, Papanasam Taluk.

For Petitioner : Mr.R.Mahendrarajan

For R1 to R3 : Ms.D.Farjana Ghoushia,
Special Government Pleader

ORDER

This writ petition is filed as against the order passed by the first respondent/the Revenue Divisional Officer, Kumbakonam, Thanjavur District in Na.Ka.No.1075/2019/A3 dated 07.04.2022, cancelling the patta stand in the name of the petitioner and ordering for issuance of patta in favour of the 4th respondent.

2. As against the order of the Revenue Divisional Officer, Kumbakonam, the petitioner is having a revisional remedy before the



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District Revenue Officer, Thanjavur, under the Patta Pass Book Act.

However, the petitioner, without invoking the revisional remedy, has filed this writ petition on the ground that the first respondent, before passing the impugned order, has not provided any opportunity of hearing to him.

3. Ms.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for respondents 1 to 3, on instructions, submits that notice of enquiry was issued to the petitioner for the enquiry conducted on 14.06.2018, 27.07.2018 and 23.08.2018.

4. A perusal of the impugned order also discloses that opportunity of hearing was provided to the petitioner and only thereafter, the impugned order has been passed. As against the impugned order, the petitioner is having a revisional remedy before the District Revenue Officer, Thanjavur. However, the petitioner has not invoked the same. Now, the period of limitation for filing the revision



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petition before the District Revenue Officer would have also been over.

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5. Therefore, this writ petition is disposed of with liberty to the petitioner to file a revision petition before the District Revenue Officer, Thanjavur, within a period of three weeks from the date of receipt of a copy of this order. In the event of filing any revision petition by the petitioner, the District Revenue Officer, Thanjavur, shall entertain the same by excluding the period of limitation and conduct an enquiry, after giving an opportunity of hearing to the parties concerned and thereafter, dispose of the revision petition filed by the petitioner, on merits and in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

27.09.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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