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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2024

CORAM

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.14388 of 2024
and
W.M.P.No.15628 of 2024

C.Vasudevan ... Petitioner

Vs.

1.The Tahsildar
Mylapore, Chennai

2.The Revenue Divisional Officer,
Guindy, Chennai - 600032

3.V.Deepak Jesudoss

4.The District Revenue Officer,
South Chennai District,
Guindy, Chennai – 600032.

[R.4 is suo motu impleaded as per the order dated 30.05.2024 in W.P.No.14388 of 2024 by VLNJ]

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to consider the statutory appeal filed by the petitioner on 09.07.2022 against order Ref.No.A.2/2698/2020 dated 17.06.2022 and pass final

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orders on merits in accordance with law or order, direction in nature of writ.

For Petitioner : Mr.G.Appavu

For Respondents :
(for R1 and R2) : Mr.Habeeba Rahman,
Government Advocate

ORDER

The appeal from the order of the Tahsildar as per the Patta Passbook Act lies to the Revenue Divisional Officer. However, the Writ Petitioner has filed an appeal before the District Revenue Officer. Hence, the Jurisdictional District Revenue Officer, South Chennai District, Guindy, Chennai – 32 is *suo motu* impleaded as the 4th respondent to this Writ Petition.

2. A perusal of the papers show the Tahsildar has passed an order as against the Writ Petitioner on 17.06.2022. Aggrieved by the same, the Writ Petitioner has filed an appeal to the District Revenue Officer. The District Revenue Officer is the Revisional Authority and not the Appellate Authority. The papers have been sent by a Registered Post with acknowledgement due on 09.07.2022.

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3. The learned Government Advocate would submit that the Writ Petitioner may file a fresh appeal as against the order of the Tahsildar.

4. If I were to give such a direction, then the petitioner will face the bar of limitation, as an appeal would have to be presented within a prescribed period before the Revenue Divisional Officer. Therefore, the newly impleaded 4th respondent, District Revenue Officer will transmit the papers to the 2nd respondent, the Revenue Divisional Officer who shall take the appeal on file. Thereafter, he shall issue notice to the 3rd respondent, namely, the private party and dispose of the appeal within a period of 12 weeks from the date of receipt of the papers from the District Revenue Officer.

5. With these directions, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

(dsa/shr) **30.05.2024**
Index : Yes
Speaking Order
Neutral Citation : Yes

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To

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V.LAKSHMINARAYANAN. J.,

(dsa/shr)

W.P.No.14388 of 2024
and
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30.05.2024

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