



W.P.No. 25432 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated :05.11.2024

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.25432 of 2024
and W.M.P.No.27800 of 2024

Revathi
Rep by its General Power of Agent
Shankar

... Petitioner

Vs

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. District Revenue Officer,
Chengalpattu District,
Chengalpattu.
3. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.
4. The Tahsildar,
Pallavaram Taluk, Chengalattu District.
5. The Town Sub Inspector / Surveyor,
Pallavaram Taluk,
Chengalpattu District.
6. Kamala

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorari to call for the records of the proceedings of the 1st respondent in Na.Ka.No.14673/2023/A4 dated 15.06.2024 and quash the same.

For Petitioner : Mr.V.Karnan

For Respondents 1 to 5 : Mr.M.R.Gokul Krishnan,
Additional Government Pleader

For Respondent 6 : Mr.C.Raja Kumar

ORDER

The above writ petition has been filed to quash the order passed by the 1st respondent in Na.Ka.No.14673/2023/A4 dated 15.06.2024 .

2. Certiorari is sought for on the ground that the 1st respondent had no authority under the Patta Pass Book Act to entertain a second revision in the form of a second appeal and the order passed without jurisdiction is null and void. It is the case of the petitioner that the property comprised in Survey No.204/7 measuring an extent of 0.25



centd in Jamin Pallavaram Village, Pallavaram Taluk, Chengalpet District belonged to one Chinnammal in patta No.435. The said Chinnammal had a daughter Saraswathy, who inherited the property. Saraswathi, in turn, had executed a settlement deed in favour of her daughter, Revathy in Document No.10800 of 2021 on the file of the Sub Registrar Office, Pallavaram. Revathy in turn had executed a general Power of Attorney in Document No.10927 of 2021 on the file of the Sub Registrar Office, Pallavaram in favour of the petitioner. A patta had been wrongly issued in favour of the 6th respondent herein. The petitioner had therefore filed an appeal before the 3rd respondent who dismissed the appeal. Thereafter, a revision was preferred before the 2nd respondent and the revision was allowed by the 2nd respondent by order dated 27.05.2024 and the patta issued in favour of the 6th respondent was cancelled. Thereafter, instead of proceeding to file a suit, the 6th respondent has filed yet another revision before the 1st respondent. The 1st respondent, by the impugned order, has set aside his earlier order. Therefore, this Writ Petition has been filed.



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3. Heard the learned counsel on either side.

4. Taking into account the fact that there is no provision for review under the Patta Pass Book Act and the only remedy available is to alter the order by way of a civil suit, the impugned order is set aside and the Writ Petition is allowed. The 6th respondent should get his grievance redressed by a Civil Court. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

05.11.2024

Index: Yes/No

Speaking order/non-speaking order

Neutral Citation: Yes/No

srn

To

1. The District Collector,
Chengalpattu District, Chengalpattu.

2. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.

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3. The Revenue Divisional Officer,
Tambaram, Chengalpattu District.
4. The Tahsildar,
Pallavaram Taluk, Chengalattu District.
5. The Town Sub Inspector / Surveyor,
Pallavaram Taluk,
Chengalpattu District.



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P.T.ASHA, J.,

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