



W.P.(MD)No.27592 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.27592 of 2024

S.R.Sivanandi

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai North Taluk,
Madurai District.

3.The Tahsildar,
Madurai North Taluk,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, directing the second respondent to consider and dispose of the petitioner's appeal petition dated 10.08.2024 preferred under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 for cancellation of patta in respect of the S.No.350/1, Vilacheri Village, Madurai North Taluk, Madurai District as expeditiously as possible within the time stipulated by this Court.



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For Petitioner : Mr.R.Anand

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The writ petition is filed for writ of Mandamus for a direction to the second respondent to consider and dispose of the petitioner's appeal, dated 10.08.2024 under Section 10 of the Tamil Nadu Patta Passbook Act for cancellation of patta.

2. The petitioner as the owner of the property in S.No.350/1, Vilacheri Village, Madurai North Taluk, Madurai District to an extent of 1 Acres and 14 cents was issued with patta in Patta No.771. One Thangam, who had no semblance of right over the property, created forged settlement deed in the year 2013, for the aforesaid survey numbers by taking advantage of the similarity of names of the petitioner's father and his grandfather. The petitioner therefore lodged a complaint in C.C.No.39/2022 before the Judicial Magistrate, Thirumangalam, Madurai District. While so, the third respondent based on the forged documents issued patta with respect to the subject property by subdividing the same. The petitioner apprehending that the respondents would



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further encumber the property on the basis of the patta issued to him filed an appeal under Section 12 of the Tamil Nadu Patta Passbook Act for cancellation of patta issued in favour of Thangam. As the respondents did not take any action on the petitioner's appeal, the petitioner filed the writ petition for the aforesaid relief.

3. The learned counsel for the petitioner submitted that the petitioner was aged about 91 years and therefore, there was an urgency to dispose of the appeal as the petitioner genuinely feels that taking advantage of the patta issued on the basis of forged documents, the said Thangam may further encumber the property. The learned counsel for the petitioner therefore submitted that a reasonable time may be fixed by this Court for disposal of the appeal.

4. Considering the submission made by the learned counsel for the petitioner that the petitioner is 91 years of age, I am inclined to issue a direction to the second respondent to dispose of the petitioner's appeal, dated 10.08.2024 on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.



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5. Accordingly, the writ petition stands disposed of. No costs.

19.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
SN

To:

- 1.The District Collector,
Madurai District.
- 2.The Revenue Divisional Officer,
Madurai North Taluk,
Madurai District.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai District.



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N.MALA, J.

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