



W.P.(MD)No.27634 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.11.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE N.MALA**

W.P.(MD)No.27634 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: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, by directing the 2nd respondent to consider and dispose of the petitioner's appeal preferred under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 for cancellation of patta in respect of the Survey No. 361/10, Vilacheri village, Madurai North Taluk, Madurai District as expeditiously as possible within the time stipulation as fixed by this Court.



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For Petitioner : Mr.R.Anand

For Respondents : Mr.A.Kannan

Additional Government Pleader

ORDER

This Writ Petition is filed seeking issuance of Writ of mandamus to direct the second respondent to consider and dispose of the petitioner's appeal preferred under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 for cancellation of patta in respect of the Survey No. 361/10, Vilacheri village, Madurai North Taluk, Madurai District within the time to be stipulated by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is the owner of the property in S.No.362/10, measuring to an extent of 98 cents situated at Vilacheri village, Madurai North Taluk, Madurai District was issued patta, in Patta No.3218. While so, one Thangam, who had no semblance of right over the property,



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created a forged deed in the year 2013 for the aforesaid survey number by taking advantage of the identity of the names of the petitioner's father and his grandfather. The petitioner therefore lodged a complaint to the concerned police, which is pending in C.C.No.39 of 2022 before the Judicial Magistrate, Thirumangalam, Madurai District.

4. On the strength of the forged document, the said Thangam approached the third respondent and obtained patta in respect of the subject property by subdividing the same as S.No.361/10A. The said Thangam, on the strength of the patta issued on the basis of the forged document, tried to create further complications and so, the petitioner filed an appeal under Section 12 of the Tamil Nadu Patta Passbook Act, 1983, for cancellation of patta issued to said Thangam. The petitioner stated that to prevent multiplicity of false documents, there was an urgency for disposing the appeal.

5. The learned counsel appearing for the petitioner submitted that the petitioner was aged about 91 years and therefore, it was just and necessary to fix a time frame for the disposal of the appeal.



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6. Considering the advanced age of the petitioner, I am inclined to direct the second respondent to consider the petitioner's appeal filed under Section 12 of the Tamil Nadu Patta Passbook Act, 1983, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

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Index : Yes / No
NCC : Yes / No
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N.MALA, J.

Sm

Order made in
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