



W.P.No.24607 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.24607 of 2025

and

W.M.P.Nos.27734 and 27735 of 2025

1.Arifabee,
W/o.Hasim

2.Nargisbegam,
W/o.Sabi

... Petitioners

Vs.

1.The District Collector,
District Collectorate,
Kallakurichi District.

2.The District Revenue Officer,
Kallakurichi,
Kallakurichi District.

3.The Sub-Collector,
Office of the Sub-Collector,
Kallakurichi District.

4.The Tahsildar,
Sankarapuram Taluk,
Kallakurichi District.



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5.Venkatesan,
S/o.Kannan

... Respondents

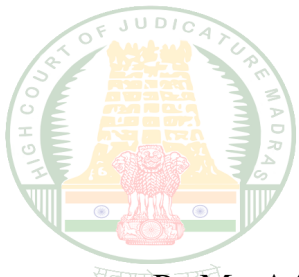
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent issued in O.Mu.Aa3/500/2025 dated 31.01.2025 and the impugned order of the 3rd respondent issued in Pa.Mu.A4/48/2021, dated 15.02.2021 quash the same and consequently direct the 4th respondent to restore the patta in favour of the petitioners in respect of land measuring an extent of 362.5 sq.ft each (totally 725 sq.ft) in Survey No.17/1 (Old Survey No.184/7), situated at Hospital Lane Road, Sankarapuram Taluk, Kallakurichi District.

For Petitioners	: M/s.R.Divya Preathika
For Respondents	:
For R1 to R4	: Mr.A.Selvendran Special Government Pleader

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the 5th respondent is dispensed with.

2. The present writ petition is filed praying for a writ of certiorarified mandamus, challenging the impugned proceedings of the 2nd respondent dated 31.01.2025 and the impugned order of the 3rd respondent issued in

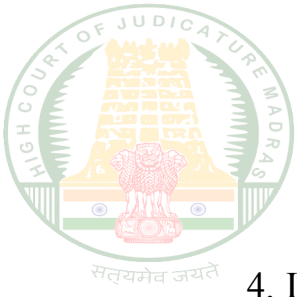


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Pa.Mu.A4/48/2021, dated 15.02.2021, to quash the same and to consequently direct the 4th respondent to restore the patta in favour of the petitioners in respect of the land measuring an extent of 362.5 sq.ft each (totally 725 sq.ft) in Survey No.17/1 (Old Survey No.184/7), situated at Hospital Lane Road, Sankarapuram Taluk, Kallakurichi District.

3. It is the case of the petitioners that the subject property was purchased by them from one Parthiban vide Sale Deeds dated 11.11.2013 registered as Doc.Nos.4869 and 4897 of 2013 on the file of the Sub Registrar Office, Sankarapuram Taluk, Kallakurichi District. While so, 3rd respondent erroneously cancelled the patta standing in the name of petitioners vendor's predecessor and directed the 4th respondent to issue patta in favour of 5th respondent. When petitioner came to know about the abovesaid proceedings, had immediately filed an Appeal before the 1st respondent and requested to restore the patta in the name of petitioners. However, 2nd respondent without conducting any enquiry, has rejected the Appeal on 31.01.2025 on the ground of limitation. Pursuant to the said order, 3rd respondent passed the impugned proceedings dated 15.02.2021. Aggrieved by the same, the present writ petition has been filed.



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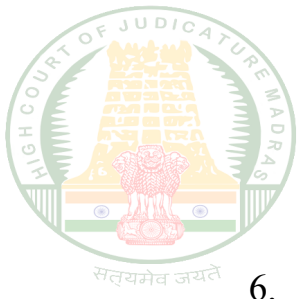
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4. It may be relevant to refer to Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987. It reads as under:-

“15. Revision on application.

- (1) An application under Section 13 to the District Revenue Officer or such officer as may be authorised by the Government in this behalf, for revision of an order passed by the Tahsildar or the appellate authority shall be filed within ninety days from the date of receipt of the order.
- (2) The District Revenue Officer or such officer as may be authorised by the Government may admit an application for revision presented after expiry of the period mentioned in sub-rule (1), if he is satisfied that the party had just and sufficient cause for not presenting it within the said period.”

5. On a reading of sub-rule (2) to Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987, it would be clear that though the application for revision ought to have been filed within 90 days from the date of receipt of the order, however, the District Revenue Officer or such officer may admit an application for revision even after expiry of 90 days, if he/she satisfied that there was a just and sufficient cause for not presenting it within 90 days period stipulated under Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987.



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6. It is submitted by the learned counsel for the petitioners that the petitioners were not a party to the proceedings of the 2nd respondent, though the Sale Deed was registered as Doc.Nos.4896 and 4897 of 2013 dated 11.11.2013 in the office of the Sub Registrar, Sankarapuram Taluk, Kallakurichi District. As per Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987, the impugned proceedings of the 2nd respondent is liable to be set aside for two reasons. Firstly, Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987 only requires limitation to be reckoned from the date of receipt of the order. Secondly, according to the petitioners, they were never aware of the impugned proceedings of the 2nd respondent as no notice of personal hearing was issued to the petitioners and hence the same are liable to be set aside on the ground of violation of principles of natural justice.

7. In any event, there is a duty cast upon the officers concerned to examine an application for revision presented beyond the stipulated period of 90 days in terms of sub-rule (1) to Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987 in terms of sub-rule (2) to Rule 15 of the said Rules, even if there is sufficient cause and this Court is inclined to direct the 2nd respondent to admit the application for revision petition and entertain the same and pass appropriate orders within a period



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of sixteen (16) weeks from the date of receipt of a copy of this order after giving prior notice to the petitioner, the 5th respondent and any other interested parties including rival claimants if any. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the 2nd respondent to consider the matter on its own merits and in accordance with law.

8. With the above direction, this Writ Petition is disposed of. No costs.

Connected miscellaneous petitions are closed.

09.07.2025
(2/2)

Speaking (or) Non Speaking Order
Neutral Citation : Yes / No

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To

1.The District Collector,
District Collectorate,
Kallakurichi District.

2.The District Revenue Officer,
Kallakurichi,
Kallakurichi District.



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3.The Sub-Collector,
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MOHAMMED SHAFFIQ, J.

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