



W.P.No.21472 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21472 of 2025

Lakshmi

...Petitioner

Vs.

1.The District Collector,
O/o. District Collector,
Kallakuruchi District.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Kallakuruchi Division,
Kallakuruchi District.

3.The Thasildhar,
O/o.Thasildhar Office,
Sangarapuram,
Kallakuruchi District.

4.Mallika

5.Chinathambi

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the first respondent to issue patta at S.No.3/1, East Arasamara Bus Stop, Orangani Village, Soundaravallipalaiyam, Sangarapuram Taluk, Kallkuruchi District 606 401 in pursuant to petitioner appeal dated 20.12.2023 and pass orders.



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For Petitioner : Mr.P.Muthamizhselvakumar
For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate
for R1 to R3

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 Respondent Nos.4 and 5 is dispensed with.

2. The present writ petition is filed praying for a writ of mandamus to direct the first respondent to issue patta in respect of the property comprised in S.No.3/1, situated at East Arasamara Bus Stop, Orangani Village, Soundaravallipalaiyam, Sangarapuram Taluk, Kallakurichi District 606 401 pursuant to petitioner appeal dated 20.12.2023.

3. It is submitted by the learned counsel for the petitioner that the petitioner belongs to Tribal community and he has settled down in the subject property in the



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year 1970. Hence, the petitioner submitted a representation dated 02.05.2022 before the authorities seeking issuance of patta in his name in respect of the subject property. The third respondent rejected the said representation vide proceedings dated 16.11.2022. Aggrieved by the same, petitioner filed an appeal dated 24.11.2022 before the Revenue Divisional Officer/second respondent and the same was rejected vide proceeding dated 09.10.2023. Aggrieved by the same, the petitioner preferred an appeal dated 20.12.2023 before the first respondent. However, the same was not considered so far. Hence, the petitioner has filed the present writ petition.

4. It was submitted by the learned Government Advocate for the respondents 1 to 3 that if the petitioner is aggrieved by an order of the Revenue Divisional Officer/second respondent with regard to refusal to issue patta in his name, an appeal would only lie with the District Revenue Officer (DRO). Therefore, the petitioner ought to have filed an appeal before the DRO.

5. At this juncture, learned counsel for the petitioner seeks permission to file an appeal challenging the order dated 09.10.2023 passed by the Revenue



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Divisional Officer before the appropriate DRO, within a time frame to be fixed by this Court, which was agreed to by the learned Government Advocate for the respondents 1 to 3.

6. It was further submitted by the learned Government Advocate that if the petitioner files an appeal before the appropriate DRO, within a time frame to be fixed by this Court, the same would be considered and appropriate orders would be passed, without reference to limitation, which was agreed to by the learned counsel for petitioner.

7. In view thereof, it is open to the petitioner to file an appeal before the appropriate District Revenue Officer, challenging the order dated 09.10.2023 passed by the Revenue Divisional Officer, within a period of two weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. If any such appeal is filed by the petitioner, the appropriate District Revenue Officer shall consider the appeal on merits and pass orders, without reference to limitation, in accordance with law, if its otherwise in order, after affording reasonable opportunity of hearing to the petitioner, respondents 4 and 5 and any



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other interested persons. 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 concerned respondent to consider the matter on its own merits and in accordance with law.

8. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

18.06.2025

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

To

- 1.The District Collector,
O/o. District Collector,
Kallakuruchi District.
- 2.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Kallakuruchi Division,
Kallakuruchi District.
- 3.The Thasildhar,
O/o.Thasildhar Office,
Sangarapuram,
Kallakuruchi District.

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MOHAMMED SHAFFIQ, J.

mrn

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