BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.681 of 2025

K.Senthil Kumar .... Petitioner

/Vs./

1. The Revenue Divisional Officer
   Revenue Divisional Office, Kovilpatti,
   Thoothukudi District

2. The Tahsildar
   Tahsildar Office, Vilathikulam Taluk,
   Thoothukudi District .... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to mutate the names of legal heirs of Chairman Nadar by removing the wrong entry namely Poovalingam in Joint Patta No. 481 in the light of the proceedings of the 1st respondent with respect of S.No. 317/7B to an extent of 0.18.0 ares in Surangudi Village, Vilathikulam Taluk, Thoothukudi District by considering the petitioner representation dated 19.11.2024.

For Petitioner : Mr.V.Meenakshi Sundaram
For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

I have heard Mr.V.Meenakshi Sundaram, learned counsel for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents.

2. At the last hearing it was represented by the Government Advocate Mr.C.Satheesh that one Poovalingam has preferred a revision before the Dsitrict Revenue Officer, Tuticorin and therefore, the respondents were not in a position to implement the order of the first respondent dated 22.03.2023.

3. Today, the learned counsel appearing for the petitioner would submit that the petitioner was given notice of the revision proceedings of the District Revenue Officer, Thoothukudi and in fact, the petitioner also appeared and has made his preliminary submissions, including the maintainability of the revision. It appears that the District Revenue

Officer has concluded the enquiry and orders have been reserved.

4. Considering the fact that though the application of the said Poovalingam who was aggrieved by the order of the first respondent as early as on 22.03.2023 ought to have preferred a revision under Section 13 of the Patta Passbook Act, in the prescribed format, there appears to be no such revision filed by said Poovalingam as can be seen from the original records that have been produced by the Government Advocate today, for my perusal. Be that as it may, the District Revenue Officer has now heard the grievance of the said Poovalingam challenging the order of the first respondent dated 22.03.2023 and an opportunity has also been provided to the petitioner and now, the District Revenue Officer, Tuticorin has to only pronounce his final verdict.

5. In view of the above, the writ petition is disposed of directing the second respondent to issue/deny patta to the petitioner, subject to the outcome of the revision proceedings pending before the District Revenue Officer.

6. In the event of the petitioner succeeding before the District Revenue Officer, then patta shall be mutated in the name of the petitioner, within a period of four weeks from the date of the order of the District Revenue Officer. I do not find, how the District Revenue Officer entertained the revision at the instance of the Poovalingam, who ought to have preferred an appeal within 90 days which is the time limit prescribed for filing revision under Rule 15. The first respondent should also consider the maintainability of the revision as argued by the petitioner. Considering all these aspects, the District Revenue Officer shall pass final orders within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Index : Yes / No
NCC : Yes / No **26.03.2025**
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To

1. The Revenue Divisional Officer
   Revenue Divisional Office, Kovilpatti,
   Thoothukudi District

2. The Tahsildar
   Tahsildar Office, Vilathikulam Taluk,
   Thoothukudi District

P.B. BALAJI, J.

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Order made in
W.P.(MD)No.681 of 2025

Dated:
26.03.2025