



W.P.(MD)No.7714 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.03.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7714 of 2025

Tmt. Nirmala

... Petitioner

Vs.

1.The District Revenue Officer,
Thoothukudi,
Thoothukudi District.

2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Kayathar Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings of the 1st respondent made in Oo.Mu. D6/2916326 /2025, dated 18.02.2025, and quash the same and consequently direct the 1st respondent to entertain the appeal filed by the petitioner, dated 11.01.2025 and decide the same on merits.

For Petitioner : Mr.R.Murali



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For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

The petitioner challenges the impugned order of the District Revenue Officer, dated 18.02.2025.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. The petitioner preferred an appeal on 11.01.2025, aggrieved by the order of the Revenue Divisional Officer. Admittedly, the petitioner has not preferred the said appeal in time. However, the petitioner has filed the appeal along with an application seeking condonation of delay. Without even considering the said application for condonation of delay, the 1st respondent has proceeded to reject the appeal stating that it is out of time. Challenging the same, this writ petition has been filed.

4. The Patta Passbook Act and Rules permit belated filing of appeals and revisions. In fact, Patta Passbook Rules, 1987, more specifically Rule 15

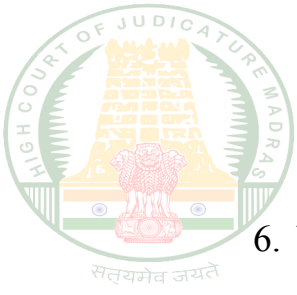


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provides for the District Revenue Officer to admit application for revision

presented after the period of 90 days from the date of receipt of the order, if the District Revenue Officer is satisfied that the party had just and sufficient use for not presenting the same within 90 days. Without even noticing the statutory provision, the 1st respondent has proceeded to reject the appeal. A condone delay affidavit has been filed before this Court along with the typedset of papers. I have gone through the same and the delay has been explained to the satisfaction of the Court. I do not see any willful or *malafide* intention on the part of the petitioner for not preferring the revision in time.

5. In view of the above, the impugned order, dated 18.02.2025 is set aside and the writ petition is allowed with a direction to the petitioner to pay a sum of Rs.5,000/- to the Regional Cancer Centre (RCC), Government Rajaji Hospital (GRH) in Madurai within a period of two (2) weeks from the date of receipt of copy of this order. On such deposit being made, the 1st respondent shall admit the revision, dated 11.01.2025 and dispose of the same on merits and in accordance with law with a period of twelve (12) weeks thereafter.



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6. With the above directions, this Writ Petition stands disposed of. No

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NCC:yes/no
Index:yes/no
Internet:yes/no
gbg

To:

- 1.The District Revenue Officer,
Thoothukudi,
Thoothukudi District.
- 2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.
- 3.The Tahsildar,
Kayathar Taluk,
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P.B.BALAJI, J.

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