



W.P.(MD)No.17836 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.07.2025

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

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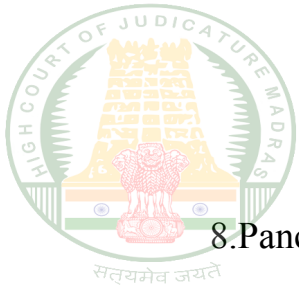
M.Balamurugan

... Petitioner

-VS-

- 1.The District Collector,
Collectorate Campus,
Ramanathapuram,
Ramanathapuram District.
- 2.The Sub-Collector,
Paramakudi,
Ramanathapuram District.
- 3.The Thasildar,
Taluk Office,
Kamudhi Taluk,
Ramanathapuram District.
- 4.The Block Development Officer,
Panchayat Union Office,
Kamudhi,
Ramanathapuram District.
- 5.Indirani
- 6.Poomadevi
- 7.Gomathi

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8.Panchavarnam

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the four patta numbers in patta number 569 issued in the name of Indrani, W/o Sakarai pertaining to survey number 261/52, patta No.570 issued in the name of Gomathi, W/o Munniyasamy (Sister-in-law of Sakarai) pertaining to survey number 261/53, patta No.571 issued in the name of Poomadevi, W/o Thangapandi (Daughter of Sakarai) pertaining to survey number 261/54 and patta No.572 issued in the name of Panchavarnam, W/o Chithraival (Younger sister of Sakarai) pertaining to survey number 261/51 situated at Pothanathi hamlet of Kakudi Revenue Village, Kamudhi Taluk, Ramanathapuram District, belonging to one and same family members issued by the 3rd respondent as illegal, improper, unlawful, unconstitutional and arbitrary based on the petitioner's representation dated 21.10.2024 submitted to the 1st respondent.

For Petitioner : Mr.R.Murugan

For R1 to R4 : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM, J.)

The writ on hand has been instituted to direct the second respondent to cancel the patta granted allegedly in-violation of the Tamil Nadu Patta



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Pass Book Act, 1983 (hereinafter referred to as 'the Act') and the Rules thereunder.

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2. Grant of patta is governed under the provisions of the Act and the procedures are contemplated under the Rules framed thereunder.

3. An application seeking cancellation of patta is to be preferred before the Appellate Authority namely before the Revenue Divisional Officer. Correctness of the patta is to be verified by conducting an enquiry by the Competent Authority. Such a roving enquiry cannot be conducted by the High Court in a writ petition under Article 226 of the Constitution of India. Thus, the petitioner is at liberty to approach the jurisdictional Revenue Divisional Officer for cancellation of patta by filing an appeal, which is entertainable under Rule 14 of the Tamil Nadu Patta Passbook Rules, and on receipt of such appeal, the Revenue Divisional Officer concerned shall conduct an enquiry by affording an opportunity to all the parties and decide the issue on merits and in accordance with law as expeditiously as possible.



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There shall be no order as to costs.

(S.M.S., J.) (A.D.M.C., J.)
01.07.2025

NCC :yes/No
Index :yes
Internet:yes/No
nst



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