



W.P.(MD) No.21837 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.21837 of 2025

Thangadurai

... Petitioner

Vs.

1.The District Revenue Officer,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Kazhayarkovil Taluk,
Sivagangai District.

4.Natarajan

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 3rd respondent, jurisdictional Tahsildar is bound to conduct a fair enquiry under Section 10 of Tamil Nadu Pass Book Act, 1983 in respect of Patta No.1201 and 1205 granted in favour of the 4th respondent in respect of Survey



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No.127/1D and 127/5D in Marathur Village, Kazhayarkovil Taluk,
Sivagangai District.

For Petitioner : Mr.P.M.Vishnu Varthanan
For Respondents : Mrs.K.Malathi
Additional Government Pleader

ORDER

The writ Petitioner seeks direction to the third respondent to conduct enquiry in his application filed under Section 10 of Tamil Nadu Pass Book Act, 1983, seeking rectification of the revenue records in Patta No.1201 and 1205, relating to properties situated in Survey No.127/1D and 127/5D in Marathur Village, Kazhayarkovil Taluk, Sivagangai District.

2. Heard Mr.P.M.Vishnu Varthanan, counsel for the petitioner and Mrs.K.Malathi, learned Additional Government Pleader, for the respondents. With the consent of both the counsel, the Writ Petition is taken up for final disposal at the stage of admission.



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3. According to the petitioner, the property situated in Survey No. 127/1D and 127/5D in Marathur Village, Kazhayarkovil Taluk, Sivagangai District, is originally his ancestral property and the same was allotted to him in the family partition. The patta was issued in the name of the petitioner in Patta No.463. Subsequently, the name of the fourth respondent, the brother of the petitioner has been entered wrongly in the revenue records and now patta has been issued in his name as Patta No. 1201 and 1205 without the knowledge of the petitioner. Therefore, the petitioner submitted the instant application under Section 10 of Tamil Nadu Pass Book Act, 1983, seeking rectification of the revenue records. The same has not been considered. Hence the petitioner has come before this Court.

4. Learned Additional Government Pleader who takes notice for the respondents would submit that if the petitioner is aggrieved by the patta issued in the name of the private respondents, it is for him to file an appeal before the appellate authority under the Tamil Nadu Pass Book Act, 1983.



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5. According to the petitioner patta originally stood in his name and the same was wrongly changed in the name of the fourth respondent. In such circumstances, it is for him to challenge the patta issued in the name of the fourth respondent by filing an appeal before the Revenue Divisional Officer and the appellate authority under section 12 of the Tamil Nadu Pass Book Act, 1983.

6. Therefore, without expressing any opinion on the merits of the matter, the third respondent is directed to forward the representation submitted by the petitioner dated 28.07.2025 to the second respondent within a period of two weeks from the date of receipt of a copy of this order. The second respondent shall consider the same as an appeal under Section 12 of the Tamil Nadu Pass Book Act, 1983, and dispose the same on its own merits after affording reasonable opportunity to the petitioner and the fourth respondent within a further period of 12 weeks.



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

11.08.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes/No

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To

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- 2.The Revenue Divisional Officer, Sivagangai District, Sivagangai.
- 3.The Tahsildar, Kazhayarkovil Taluk, Sivagangai District.



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S. SOUNTHAR, J.

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