



W.P.(MD)No.22128 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.22128 of 2018

Stalin Nesamani

... Petitioner

Vs.

1. State of Tamilnadu,
Represented by the District Collector,
Collectorate, Trichirappalli.

2. The Tahsildar,
Taluk Office,
Thiruverumbur, Trichy-620 013.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to consider the representation of the petitioner dated 27.08.2018 for cancellation of Patta issued in the name of other Co-sharer and provide an opportunity of hearing.

For Petitioner : Mr.E.Shanmugasundharam,

For Respondents : Mr.B.Saravanan
Government Advocate



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ORDER

The petitioner seeks issuance of writ of mandamus to direct the second respondent to consider the petitioner's representation for cancellation of patta issued in the name of a co-sharer of the petitioner.

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

3. I find that the second respondent has ordered issuance of patta in the name of a co-sharer. If the petitioner was aggrieved by such an order, the petitioner ought to have preferred an appeal before the Revenue Divisional Officer (RDO). However, the petitioner has chosen to approach the Tashildar himself who passed the order, and thereafter approached this Court by filing the present writ petition seeking issuance of a writ of mandamus to dispose of his representation dated 27.08.2018.

4. Therefore, I am not inclined to entertain this writ petition. However, considering the fact that the petitioner has approached this Court as early as



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2018 and the writ petition has been admitted and remained pending all these

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years, liberty is given to the petitioner to approach the Revenue Divisional Officer, Trichy, by way of appeal under the provisions of the Patta Passbook Act. In the event that the petitioner files an appeal within a period of four (4) weeks from the date of receipt of a copy of this order, the Revenue Divisional Officer, Trichy, shall entertain the appeal without rejecting it on the grounds of limitation. The Revenue Divisional Officer shall proceed to hear all interested parties and pass orders on merits, in accordance with law, within a period of 3 months thereafter.

5. With the above direction, this Writ Petition stands disposed of. No costs.

17.04.2025

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

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P.B.BALAJI, J.

jbr

To:

1. The District Collector,
Collectorate, Trichirappalli.
2. The Tahsildar,
Taluk Office,
Thiruverumbur, Trichy-620 013.

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