



W.P.(MD)No.29211 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.29211 of 2024

M.Latha

... Petitioner

Vs.

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

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Sivagangai District.

3.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to dispose of the petitioner's appeal, dated 08.08.2024 filed under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983 within the time frame stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil
For M/s.Roy and Roy Associates

For Respondents : Mr.A.Kannan
Additional Government Pleader



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ORDER

The writ petition has been filed for a direction to the second respondent to dispose of the petitioner's appeal, dated 08.08.2024 filed under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983, within a time frame stipulated by this Court.

2. With the consent of both parties, the writ petition is taken for final disposal.

3. The petitioner as the purchaser of the property in S.No.108/1A, to an extent of 61 cents, at Kanchiram Village, Kalayarkovil Taluk, Sivagangai District, under registered sale deed, dated 01.03.1999, was in peaceful possession and enjoyment. While so, one Balakrishnan, S/o.Arumugam had fraudulently obtained patta for the subject lands without any valid title documents, in Patta No.836. The petitioner therefore preferred an appeal before the second respondent under Section 12 of the Tamil Nadu Patta Pass Book Act, on 08.08.2024, to cancel the patta mutated in the name of Balakrishnan and issue patta in favour of the petitioner on the basis of the petitioner's registered sale deed in Document No.209/1999. As the petitioner's appeal was not taken on file, the petitioner sent a representation to the second respondent on



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09.12.2024 and as even thereafter, no action was taken, the petitioner filed the above writ petition for the aforesaid relief.

4. It is seen that the petitioner filed an appeal under Section 12 of the Tamil Nadu Patta Pass Book Act, on 08.08.2024. As the petitioner's appeal is kept pending without any action for more than 4 months, I am inclined to issue direction to the second respondent to dispose of the petitioner's appeal, dated 08.08.2024, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. It is needless to state that the second respondent shall issue notice of hearing to the petitioner and all other interested persons before passing the orders.

5. Accordingly, the writ petition stands disposed of with the above direction. No costs.

09.01.2025

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



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To:

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N.MALA, J.

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