

W.P.(MD)No.3174 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.3174 of 2025

and

WMP(MD)No.2222 of 2025

Vinoba Saravanan

... Petitioner

.Vs.

1.The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

2.The Tahsildar,
Thanjavur Taluk,
Thanjavur District.

3.The Zonal Deputy Tahsildar,
Thanjavur Taluk,
Thanjavur District.

4.The Village Administrative Officer,
Kattur Village,
Thanjavur Village,
Thanjavur.

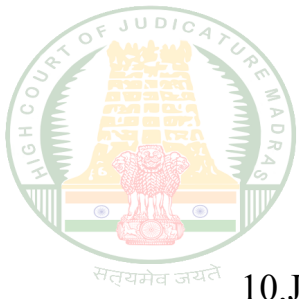
5.Muruganandham

6.Manonmani

7.Jeyakumari

8.Mangaiyakarasi

9.Santhakumari



W.P.(MD)No.3174 of 2025

WEB COPY

10.Jeyanthi
11.Rajarajan
12.S.Dharamapathi

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 4 to cancel the patta issued in favour of the respondents No.5 to 11 in S.Nos.28A-16B, 30A-3B, 30A-9B, 35-1, 39-13, 40A-11, 54A-8A at Kattur Village, Thanjavur Taluk, Thanjavur District, in patta No.1322, under Section 12 of the Patta Pass Book Act by considering the petitioner's representation, dated 07.12.2024.

For Petitioner : Mr.K.Sundaramoorthy

For Respondents : Mr.C.Satheesh
Government Advocate for R1 to R4

ORDER

The petitioner has filed the instant writ petition seeking a writ of mandamus to direct the respondents to cancel the patta issued in favour of the respondents 5 to 11.

2.According to the petitioner, the subject lands are in possession and enjoyment of the petitioner and before the petitioner, his

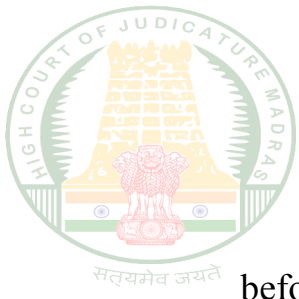


W.P.(MD)No.3174 of 2025

WEB COPY

predecessors in interest. However, the respondents 5 to 11, who were strangers to the property and also the maternal grandfather's family of the petitioner, have made an application to the Revenue Divisional Officer behind the back of the petitioner and obtained patta. According to the petitioner, the petitioner was not put on any notice before the mutation in favour of the private respondents 5 to 11. The petitioner has given a representation to the respondents on 07.12.2024 and also filed an online complaint on 10.12.2024 regarding the criminal offences committed by the respondents 5 to 11.

3.The petitioner seeks the relief of cancellation of patta in this writ petition, which cannot be granted. Further, even if the petitioner's representation dated 07.12.2024 is looked into, it is not in the nature of an appeal challenging the grant of patta in favour of the respondents 5 to 11. It is always open to the petitioner to challenge the order granting patta to the respondents 5 to 11 in the manner known to law as available under the provisions of the Patta Pass Book Act. Hence, this Court is not inclined to entertain the writ petition and accordingly, it is dismissed, however, giving liberty to the petitioner to file an appeal



W.P.(MD)No.3174 of 2025

WEB COPY

before the Revenue Divisional Officer within a period of four weeks. If such an appeal is filed within a period of four weeks, then the Revenue Divisional Officer without insisting on the appeal being filed in time, shall take up the same and decide it according to its own merits after hearing the concerned parties, within a period of eight weeks therefrom. No costs. Consequently, connected miscellaneous petition is closed.

Index: Yes/No

04.02.2025

Internet: Yes/No

NCC: Yes/No

sjj

To

1. The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

2. The Tahsildar,
Thanjavur Taluk,
Thanjavur District.

3. The Zonal Deputy Tahsildar,
Thanjavur Taluk,
Thanjavur District.

4. The Village Administrative Officer,
Kattur Village,
Thanjavur Village,
Thanjavur.



WEB COPY



W.P.(MD)No.3174 of 2025

P.B.BALAJI,J.

Sji

W.P.(MD)No.3174 of 2025

04.02.2025