BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.8017 of 2026
and
W.M.P(MD)No.6561 of 2026

S.Sivagnanam ... Petitioner

Vs

1. The District Revenue Officer,
   Madurai District,
   Madurai.

2. The Revenue Divisional Officer,
   Melur, Madurai District.

3. The Tahsildar,
   Melur Taluk,
   Madurai District.

4. K.Ramalingam ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned order passed by the second respondent in Ni.Mu.No. 6811/2022/A1 dated 02.04.2024 and impugned Memorandum passed by the first respondent in Oo.Mu.No.G2/4298852/2026 dated 03.03.2026 and quash the same as illegal and consequently remit back the matter on the file of the first respondent and direct to complete the same within a stipulated time fixed by this Court.

For Petitioner : Mr.T. Veerakumar

For R-1 to R-3 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 02.04.2024 and the impugned Memorandum passed by the first respondent dated 03.03.2026 and consequently to remit back the matter on the file of the first respondent with a direction to complete the same within a stipulated time fixed by this Court.

2. The petitioner had filed a revision beyond the period of 90 days prescribed under Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987. Hence, the respondent rejected the petitioner's revision petition.

3. The learned counsel appearing for the petitioner submitted that the Act does not prescribe any period of limitation and that the limitation is prescribed only under the Rules. Therefore, the respondents cannot reject the petitioner's revision on that ground.

4. On the other hand, the learned counsel appearing for respondents 1 to 3 submitted that the petitioner is required to file a separate petition for condonation

of delay as per Rule 15 of the Tamil Nadu Patta Pass Book Rules, 1987. Since the petitioner failed to file such a petition, the official respondent declined to entertain the revision.

5. After hearing the rival submissions, this Court is of the considered opinion that under Section 13 of the Tamil Nadu Patta Pass Book Act, 1983, read with Rule 15 of the Rules, the petitioner is entitled to file a revision. The authority prescribed thereunder has revisional powers, either *suo motu* or on an application. The said provision also mandates that a reasonable opportunity of hearing must be afforded before passing any order. In the present case, no such opportunity was granted to the petitioner before rejecting the revision application. Therefore, on the ground of violation of principles of natural justice, the petitioner is entitled to relief.

6. The next contention of the petitioner is that the period of 90 days is prescribed only under Rule 15 and not under the Act. When the statutory provision does not prescribe any limitation, the respondent cannot deny condonation of delay by relying on the Rule. Further, under Rule 15(2), it is provided that if sufficient cause is shown, the authority ought to condone the delay. In this regard, the petitioner has relied upon the judgment in W.P.No.14770 of 2018 reported in 2023-1-L.W.93 and the relevant portion is extracted

hereunder:

> *"15. In view of the stand taken by the District Revenue Officer, by virtue of that the revision filed by the petitioner which is a statutory remedy available to the petitioner under Section 13 of the Tamil Nadu Patta Pass Book Act, 1983 since has been rejected on the ground of limitation, against which this writ petition has been filed which has been pending before this Court for the past 4 years, it is a colossal loss of time for the litigant public and therefore, in order to have a better understanding of this portion of the law, this Court feels that a direction can be given to the Commissioner for Land Administration to issue a revised circular or fresh circular to reiterate the limitation prescribed under Rule 15(1) and 15(2) of the Tamil Nadu Patta Pass Book Rules, 1987 ie., 90 days from the date of receipt of the order passed by the Tahsildar or Revenue Divisional Officer under the provisions of the Tamil Nadu Patta Pass Book Act and also to direct the District Revenue Officers concerned, who are the revisional authority under Section 13 of the Act to entertain the revisions filed within 90 days and also to entertain the revisions to be filed beyond 90 days provided if reasonable and acceptable reason or cause is made by the revision petitioner by supporting affidavit by way of a separate prayer seeking to condone the delay if it is beyond 90 days period."*

7. On a perusal of the same, it is clear that Rule 15 confers power to

condone the delay, provided the petitioner shows sufficient cause. However, in the present case, the petitioner has not filed a separate petition for condonation of delay. Even though reasons have been stated in the main petition that the petitioner had been residing in Chennai in a rented house and frequently changing residences. Therefore, he could not get the information at the right time and he could not process the case. However, in order to afford an opportunity, the petitioner is permitted to file a separate petition for condonation of delay, as indicated in the above judgment. Accordingly, the impugned order is quashed and the matter is remitted back to the first respondent for reconsideration. The petitioner is directed to file the condonation petition within a period of one month from the date of receipt of a copy of this order. On such filing, the official respondents shall consider the same on merits and pass appropriate orders in accordance with law.

8. With the above directions, this Writ Petition is Allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.03.2026

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

To:

1. The District Revenue Officer,
   Madurai District,
   Madurai.

2. The Revenue Divisional Officer,
   Melur, Madurai District.

3. The Tahsildar,,
   Melur Taluk,
   Madurai District.

S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.8017 of 2026

DATED : 26.03.2026