



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :: 28..03..2013

CORAM ::

WEB COPY

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

W.P.(MD)No.2959 of 2013

Kandasamy,  
S/o. Suyambulingam,  
134, Radhapuram Road,  
Valliyoore,  
Radhapuram Taluk,  
Tirunelveli District.

..... Petitioner

- Vs -

1. The District Revenue Officer,  
Office of the District Revenue Officer,  
Tirunelveli.
  2. The Revenue Divisional Officer (Sub Collector),  
Office to the Revenue Divisional Officer (Sub Collector),  
Cheranmahadevi,  
Tirunelveli District.
  3. Krishnan,  
S/o. Ponnusamy,  
South Street, Nallankulam,  
Thalapathy Samudram Village,  
Nanguneri Taluk.
  4. Ramasamy,  
S/o. Ponnusamy,  
South Street, Nallankulam,  
Thalapathy Samudram Village,  
Nanguneri Taluk.
  5. Ponnumuthu,  
W/o. Late Rajalingam,  
Door No.3/5, Kumarakudiyiruppu,  
North - Valliyoore,  
Radhapuram Taluk.
- ..... Respondents

(Impleaded as Respondents 3 to 5 Order  
in 1/2013 in WP(MD)No.2959/2013

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the District Revenue Officer, Tirunelveli, the first respondent to take the Revision of the Patta Passbook and dispose of the Revision as per Section 13 of the Tamil Nadu Patta Passbook Act, 1983 in accordance with law within a stipulated period.



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For Petitioner :: Mr. S. Siva Thilakar

For Respondents :: Mr. D. Muruganandham  
Additional Government Pleader

No appearance for R-3 to R-5

**ORDER**

The delay on the part of the District Revenue Officer, Tirunelveli District to consider and dispose of the Revision filed by the petitioner on 18.01.2011 under Section 13 of the Tamil Nadu Patta Pass Book Act 1983 made the petitioner to file the writ petition.

2. The petitioner made an application before the Tahsildar, Radhapuram for issuance of a patta with respect to the property in S.Nos.1205, 1206 and 1212 of Vadakku Valliyoor Village. The Tahsildar, Radhapuram passed an order on 28.02.2009 granting him patta. The said order was challenged before the Revenue Divisional Officer, Cheranmahadevi by respondent Nos.3 and 4 herein. The Appeal was allowed by the Appellate Authority by order dated 10.12.2010.

3. The petitioner challenged the order of the Appellate Authority by way of Revision before the first respondent, by invoking the provisions of the Tamil Nadu Patta Pass Book Act. The revision was preferred as early as on 18.01.2011. However, there was no follow up action at the instance of the first respondent to consider and dispose of the said Revision, which made the petitioner to file the writ petition.

4. Even though notice sent to the contesting respondent Nos.3 to 5 were served and their names are printed in the cause list, there is no representation on their behalf.

5. The petitioner has produced a copy of the Memorandum of Revision dated 18.01.2011 submitted before the first respondent. It is for the first respondent to decide the revision on merits.

6. The District Revenue Officer, Tirunelveli is directed to consider and dispose of the Revision Petition filed by the petitioner dated 18.01.2011 against the order passed by the second respondent dated 10.12.2010 on merits and as per law, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above said direction. No costs.

Sd/-  
Deputy Registrar

/True copy/



To:

1. The District Revenue Officer,  
Office of the District Revenue Officer,  
Tirunelveli.
2. The Revenue Divisional Officer (Sub Collector),  
Office to the Revenue Divisional Officer (Sub Collector),  
Cheranmahadevi,  
Tirunelveli District.

+1cc to Special Government Pleader  
Madurai Bench of Maduras High Court, Madurai SR.No.17091.

Ts/25/04/2013/3p-4c

W.P. (MD) No.2959 of 2013

28..03..2013