

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.7.2015

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.23394 of 2012

C.Rukmani

.. Petitioner

vs.

1. The Revenue Divisional Officer
Tiruppur, Tiruppur District

2. The Tahsildar
Palladam Taluk, Palladam
Tiruppur District

3. P.K.Balasubramaniam
s/o.Periyasamy Gounder
M.Kullampalayam
Vavipalayam village
Palladam Taluk
Tiruppur District

.. Respondents

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the entire records relating to the impugned order passed by the first respondent in his proceedings Sae.Mu.Ni.Mu.No.3291/2012/A-5, dated 15.8.2012 and quash the same.

सत्यमेव जयते

For petitioner : Mr.C.Prakasam

For respondents : Mr.R.Ravichandran

Additional Government Pleader

for R1 and R2

Mr.R.Krishna Prasath

for R3

for M/s.Sarvabhauman Associates

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O R D E R

Heard the learned counsels appearing for the parties concerned.

2. This writ petition has been filed challenging the order passed by the first respondent, dated 15.8.2012, removing the name of the petitioner from the joint patta No.2989, issued in respect of S.No.680/1 Vavipalayam village, Palladam Taluk, Tiruppur District.

3. The main contention of the learned counsels appearing for the respondents is that the writ petition is not maintainable, in view of the fact that an appeal remedy is available to the petitioner to prefer an appeal before the District Revenue Officer, Tiruppur District, within the time frame specified in the impugned order of the first respondent. However, the petitioner had preferred the present writ petition before this Court without availing an alternative remedy available to her.

4. In view of the submissions made by the learned counsels appearing for the parties concerned, this Court is of the considered view that the petitioner ought to have availed the alternative remedy available to her as mentioned in the impugned order, dated 15.8.2012. Hence, the present writ petition filed before this Court is not maintainable, due to the availability of an efficacious alternative remedy to the petitioner, as stated in the impugned order of the first respondent, dated 15.8.2012. Hence, the writ petition stands dismissed. However, the petitioner is permitted to approach the District Revenue Officer, Tiruppur District, challenging the impugned order of the first respondent, dated 15.8.2012, if she is so advised, within a period of fifteen days from the date of receipt of a copy of this order. It is also open to the petitioner to move an appropriate application before the District Revenue Officer, Tiruppur District, for interim reliefs, if any. No costs. Connected M.P.Nos.1, 2 and 3 of 2012 are closed.

Sd/-

Asst.Registrar (J)

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Sub Asst. Registrar

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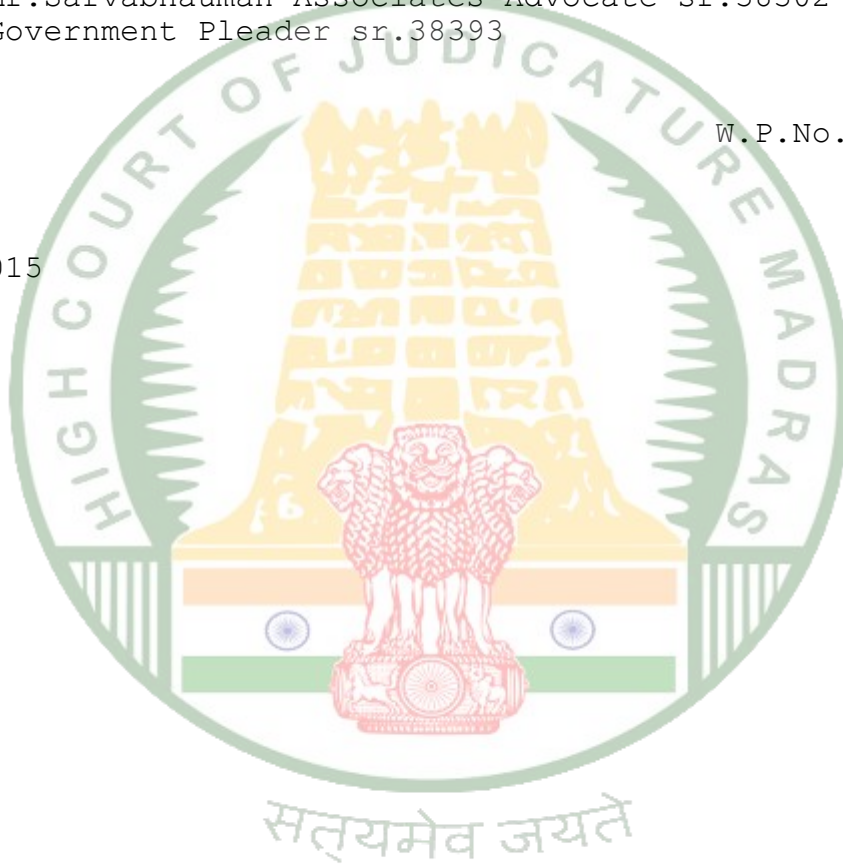
To:

1. The Revenue Divisional Officer
Tiruppur, Tiruppur District
2. The Tahsildar
Palladam Taluk, Palladam
Tiruppur District

+1 cc to Mr.Sarvabhauman Associates Advocate sr.38302
+1 cc to Government Pleader sr.38393

W.P.No.No.23394 of 2012

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