



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD)No.20690 of 2015

WEB COPY

Dhanalakshmi

...Petitioner

Vs.

The District Collector,  
Sivagangai District.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 31.10.2015 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.S.Kumar

Additional Government Pleader, takes notice.

#### O R D E R

This Writ Petition is filed seeking for a direction to the respondent to consider the petitioner's representation dated 31.10.2015 in accordance with law. Mr.S.Kumar, learned Additional Government Pleader, takes notice for the respondent and by consent of both the parties the main Writ Petition itself is taken up for final disposal.

2. It is seen that the petitioner is aggrieved against the action of the revenue officials in respect of granting patta to the land referred in the writ petition.

3. The learned Additional Government Pleader submitted that the petitioner has already filed an appeal before the Revenue Divisional Officer against the proceedings of Tahsildar and further representation before the District Revenue Officer who in-turn rejected the request of the petitioner for grant of patta through his proceedings, dated 30.05.2015. Therefore he has submitted that as the petitioner has already exhausted the statutory remedy available under the Patta Pass Book Act, he cannot approach the District Collector and seek for challenging the order of the District Revenue Officer by way of his representation dated 31.10.2015.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent. As rightly pointed out by the learned Additional Government Pleader, the petitioner has already filed an appeal and revision before the competent authorities and therefore, if he is aggrieved against the order passed by such authorities, he can only challenge the same before Court of law and not by way of making further representation to the District Collector, who is not empowered to entertain any statutory application under the Patta Pass Book Act as against the order passed by the District Revenue Officer under revision. Therefore, the fresh representation filed by the petitioner before the District Collector is not maintainable in law and when that being the position directing the District Collector to consider the representation of the petitioner does not arise.



5. Accordingly, this Writ Petition is dismissed without going into the merits of the matter, however by giving liberty to the petitioner to challenge the order passed by the District Revenue Officer, dated 30.05.2015 in the manner known to law. No Costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar (C.S)  
Madurai Bench of Madras High Court,  
Madurai.

To  
The District Collector,  
Sivagangai District.

+1cc to M/s.R.Alagumani, Advocate in SR.No.67546  
+1CC to the Special Government Pleader, in SR.No.67034

W.P. (MD) No.20690 of 2015  
23.11.2015

pjl  
PBK/SK 04/12/2015 ::2P-4C::