

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2016

CORAM:

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.19646 of 2016

L.Ellappa

... Petitioner

Versus

1. The District Collector,
Collectorate Office,
Krishnagiri.

2. The Revenue Division Officer,
R.D.O. Office, Thali Road,
Hosur, Krishnagiri.

3. The Tahsildar, Taluk Office,
Hosur, Krishnagiri.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Certiorari, to call for the concerned records relating to Order No.Pa.Moo4692/2016/A4, dated 29.04.2016 passed by the third respondent and to quash the same.

For Petitioner : Mr. M.D.Thirunavukkarasu

For Respondents : Mr.R.A.S.Senthilvel,
Additional Government Pleader

O R D E R

By consent the writ petition is taken up for final disposal.

2. The petitioner, on an earlier occasion, filed W.P.No.6770 of 2016, praying for the issuance of writ of mandamus, directing the Tahsildar, Hosur, Krishnagiri / the third respondent herein, to consider his application, dated 08.02.2016, for grant of patta and this Court, vide order, dated 03.03.2016, has directed the said official to dispose of the same, within the stipulated time and accordingly, the third respondent, after giving an opportunity of personal hearing to the petitioner, has rejected the request of the petitioner for issuance of patta, vide order dated

29.04.2010. Challenging the legality of the said order, the present writ petition has been filed.

3. The learned counsel for the petitioner would submit that despite the production of very many tenable materials, the third respondent did not scrutinize it properly and erroneously has rejected his request for patta and prays for interference.

4. Per contra, Mr.R.A.S.Senthilvel, learned Additional Government Pleader, who accepts notice on behalf of the respondents, would submit that the petitioner is having an effective alternative remedy in the form of appeal before the second respondent and he may avail the said remedy.

5. This Court heard the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader.

6. This Court, taking into consideration the rival submissions and upon perusal of the materials, is of the view that since the petitioner is having an effective alternative remedy, this writ petition cannot be entertained. Therefore, this writ petition is dismissed. However, the petitioner is at liberty to approach the second respondent, in the form of appeal, within a period of two weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, shall take the appeal on file, if the papers are otherwise in order, and after putting on notice to the concerned person, give disposal, in accordance with law, within a further period of eight weeks thereafter and communicate the decision taken to the petitioner as well as to the persons concerned.

7. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

srk

To

1. The District Collector,
Collectorate Office,
Krishnagiri.

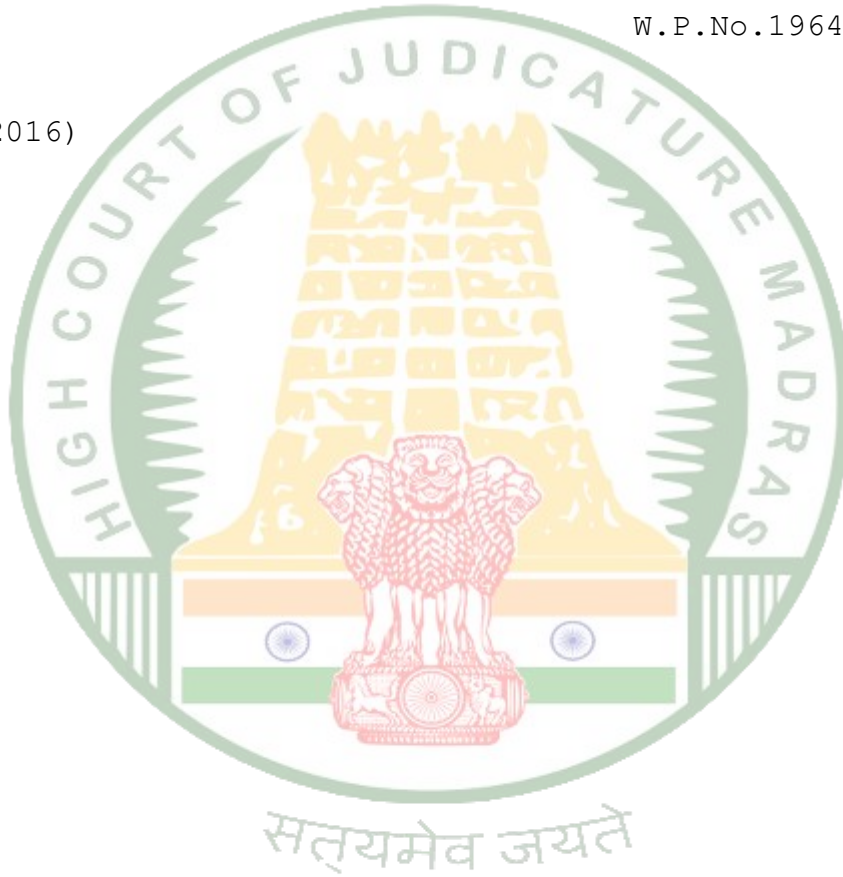
2. The Revenue Division Officer,
R.D.O. Office, Thali Road,
Hosur, Krishnagiri.

3. The Tahsildar, Taluk Office,
Hosur, Krishnagiri.

+1cc to Mr.M.D.Thirunavukkarasu, Advocate, S.R.No.31298
+1cc to the Government Pleader, S.R.No.31593

W.P.No.19646 of 2016

VD(CO)
CA(20/06/2016)



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