



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASANWrit Petition (MD) No.20759 of 2016andW.M.P(MD)No.14828 of 2016

S.Pethaperumal

... Petitioner

Vs.

The Tahsildar,
Taluk Office, Thiruvadanai,
Ramanathapuram District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in Na.Ka.P6/3815/2014 dated 6.10.2016 quash the same and consequently direct the respondent herein to grant patta to the petitioners house site measuring 2850 sq.ft. comprised in Old S.No.68/1 and New S.No.68/32 covered by registered sale deed dated 17.9.1956 vide Doc.No.1318/1956 on the file of Sub Registrar Devakottai within a reasonable time as may be fixed by this Court.

For Petitioner

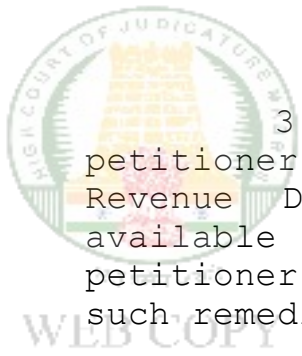
: Mr.T.V.Sivakumar for
M/s.B.Muruganandam

For Respondent

: Mr.J.Gunaseelan Muthiah,
Government Advocate.**ORDER**

Challenging the order passed by the Tahsildar, Thiruvadanai, the first respondent herein dated 06.10.2016 rejecting the request for grant of patta, the present writ petition has been filed.

2.Heard Mr.T.V.Sivakumar, learned counsel appearing for the petitioner. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice on behalf of the respondent. By consent, the service of writ petition itself is taken up for final disposal at the stage of admission.



3. Admittedly, there is an appeal remedy available to the petitioner against the order passed by the Tahsildar before the Revenue Divisional Officer and thereafter, a revision also available before the District Revenue Officer. Therefore, the petitioner cannot maintain this writ petition without exhausting such remedies available to him to challenge the said order.

4. Accordingly, this writ petition is dismissed. However, liberty is granted to the petitioner to file an appeal before the Revenue Divisional Officer. On receipt of such appeal, the Revenue Divisional Officer is directed to consider the said appeal and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of the appeal, after giving notice to the petitioner as well as to the rival claimants if any, with reference to the revenue records and the petitioner's title deeds. No costs. Consequently, W.M.P(MD) No.14828 of 2016 is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

The Tahsildar,
Taluk Office, Thiruvadanai,
Ramanathapuram District.

+1 cc to M/s.B.Muruganandam, Advocate in SR.No. 64359
+1 cc to The Special Government Pleader in SR.No. 64237

sms

CSL/SS-2/22.11.2016: 2P/4C

Writ Petition (MD) No.20759 of 2016

and

W.M.P(MD)No.14828 of 2016

26.10.2016