

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2017

CORAM

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.22717 of 2017 &
W.M.P.Nos.23808 & 23809 of 2017

Mr.P.S.Sridhar Petitioner

v.

- 1 The Tahsildar
Solinganallur, Solinganallur Taluk
Kancheepuram District
- 2 P.G.Lakshminarayan Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records on the file the 1st respondent relating to the issuance of patta No.1554 in relation to the property belonging to the petitioner situate at No.142, Palavakkam Village, Solinganallur Taluk, comprised in S.No.87/3A1A1A1 measuring an extent of 30 cents out of 1.57 cents issued in the name of 2nd respondent and quash the same and to issue fresh patta in the name of the petitioner to the extent of 30 cents out of 1.57 cents in S.No.87 in No.142 Palavakkam Village, Solinganallur Taluk, Kancheepuram District.

For Petitioner : Mr.J.Saravana KUMar

For Respondent : Mr.S.N.Parthasarathy
Govt. Advocate - for R1

O R D E R

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus calling for the records on the file the 1st respondent relating to the issuance of Patta No.1554 in relation to the property belonging to him situated at No.142, Palavakkam Village, Solinganallur Taluk, comprised in S.No.87/3A1A1A1 measuring an extent of 30 cents out of 1.57 cents issued in the name of the 2nd respondent, to quash the same and to issue fresh patta in his

2. Heard Mr.J.Saravana Kumar, learned counsel appearing for the petitioner and Mr.S.N.Parthasarathy, learned Government Advocate, who takes notice for the 1st respondent.

3. The petitioner has challenged the patta issued by the 1st respondent in respect of Patta No.1554 in S.No.87/3A1A1A1, issued in favour of the 2nd respondent.

4. Since the petitioner has got a remedy by way of an appeal under section 12 of the Patta Pass Book Act, the petitioner has to file an appeal as against the issuance of patta by the 1st respondent in favour of the 2nd respondent before the concerned Revenue Divisional Officer.

5. The learned Government Advocate appearing for the 1st respondent also submitted that the remedy open to the petitioner is to file an appeal and not a writ petition under Article 226 of the Constitution of India.

6. In view of the same, the writ petition stands closed. However, it is open to the petitioner to challenge the patta issued by the 1st respondent in favour of the 2nd respondent before the concerned Revenue Divisional Officer, in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

Rj

To

The Tahsildar
Solinganallur
Solinganallur Taluk
Kancheepuram District

+2cc to Mr.J.Saravanakumar, Advocate sr.60971

+1cc to Government Pleader sr.61939

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ss (12/9/2017)