

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.19305 of 2017

R.Kuppan

[Petitioner]

Vs

1. The District Collector,
Collectorate,
Tiruvannamalai District,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
3. The Tahsildar,
Taluk Office,
Kalasapakkam Taluk,
Tiruvannamalai District.
4. The Taluk Surveyor,
Taluk Office,
Kalasapakkam Taluk,
Tiruvannamalai District.
5. The Village Administrative Officer,
Melchozankuppam Village,
Polur Taluk,
Tiruvannamalai District.

6. Muthumanickam

[Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the entire records of the 3rd respondent dated 04.01.2016 in Na.Ka.A2/1769/2015 and quash the same are illegal, direct the 3rd respondent to give a separate computer patta to him to the lands belonged to him situated in S.No.24/3A to an extent of 2.29 acres in Melchozankuppam Village Account, Kalasapakkam Taluk, Tiruvannamalai District and further direct the 4th respondent to measure the lands belonged to the petitioner situated in S.No.24/3A to an extent of 2.29 acres in Melchozankuppam Village Account, Kalasapakkam Taluk, Tiruvannamalai District.

For Petitioner : Mr.A.Gouthaman

For Respondents : Mr.E.Balamurugan, AGP (R1-5)

ORDER

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the respondents 1 to 5.

2. The petitioner has filed the above writ petition to issue a writ of certiorarified mandamus challenging the order passed by the 3rd respondent dated 04.01.2016 and to direct the 3rd respondent to give a separate computer patta to him to the lands belonged to him situated in S.No.24/3A measuring an extent of 2.29 acres in Melchozankuppam Village Account, Kalasapakkam Taluk, Tiruvannamalai District and further direct the 4th respondent to measure the lands belonged to him situated in S.No.24/3A measuring an extent of 2.29 acres in Melchozankuppam Village Account, Kalasapakkam Taluk, Tiruvannamalai District.

3. Since the petitioner has got a remedy by way of an appeal before the 2nd respondent viz., the Revenue Divisional Officer, Tiruvannamalai, I do not find any reason to entertain the writ petition, without exhausting the appeal remedy.

4. Accordingly, the writ petition is rejected, giving liberty to the petitioner to challenge the impugned order dated 04.01.2016 before the 2nd respondent viz., the Revenue Divisional Officer, in accordance with law. In the event of the petitioner filing an appeal before the 2nd respondent, the 2nd respondent shall decide the same on merits and in accordance with law, after giving notice to all the interested parties, as expeditiously as possible, in any event, not later than four months from the date of presentation of the appeal. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. The District Collector,
Collectorate,
Tiruvannamalai District,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Tiruvannamalai,
Tiruvannamalai District.
3. The Tahsildar,
Taluk Office,
Kalasapakkam Taluk,
Tiruvannamalai District.
4. The Taluk Surveyor,
Taluk Office,
Kalasapakkam Taluk,
Tiruvannamalai District.
5. The Village Administrative Officer,
Melchozānkuppam Village,
Polur Taluk,
Tiruvannamalai District.

+1cc to Mr.A.Gowthaman,Advocate sr.54037

+1cc to Government Pleader sr.53661

W.P.No.19305 of 2017

ssI(co)
ss(9/8/2017)

सत्यमेव जयते

WEB COPY