

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3685 of 2015

&

M.P.No.4 of 2015 and WMP No.10368 of 2017

K.P.Anandan

.. Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by the Commissioner of Land Administration
Chepauk
Chennai-9
- 2.The District Revenue Officer
Mudichur Road
Tambaram
Kancheepuram District
- 3.The Tahsildar
Solinganallur TK & Post
Kancheepuram District
- 4.N.Balaraman
5. Narayana Kuti Menon
6. Lake Menon

(R5 & R6 impleaded as per order
dated 12.08.2015 made in M.P.3/15)

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the second and third respondents in Na.Ka.No.47420/08/N3 dated 24.10.2011 and Na.Ka.No.537/2012/A1 dated 12.09.2012 and to quash the same with consequential direction to the second and third respondents to cancel the patta No.3636 standing in the name of the fourth respondent and to restore the patta Nos.105 and 101 in the petitioner's favour in respect of S.No.469/1 and 469/2 for my lands 1.04 acres and 0.50 cents, Pallikaranai Village, Sholinganallur Taluk, Kanchipuram District.

For Petitioner: Mr.A.Malathi Devapriyam

For Respondents: Mr.R.Govindasamy

Special Govt. Pleader for R1 to R3

O R D E R

This writ petition is filed challenging the order of the third respondent, namely the Tahsildar, Solinganallur, rejecting the request of the petitioner for grant of patta in respect of subject matter of the property.

2. There is no dispute to the fact that the order passed by the third respondent is an appealable order and as such, appeal is to be filed before the Revenue Divisional Officer, Tambaram and the said fact is also stated in the impugned order itself. Needless to say that the appellate authority, being the fact finding authority, has to consider the same by hearing both the parties. Therefore, the petitioner has to only approach the appellate authority by filing the statutory appeal.

3. Accordingly, this writ petition is disposed of, without expressing any view on the merits of the matter, only on the ground that there is an alternative remedy available to the petitioner by way of an appeal before the Revenue Divisional Officer. The petitioner is given liberty to file such an appeal. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

gpa

To

1. The Commissioner of Land Administration
Chepauk
Chennai-9

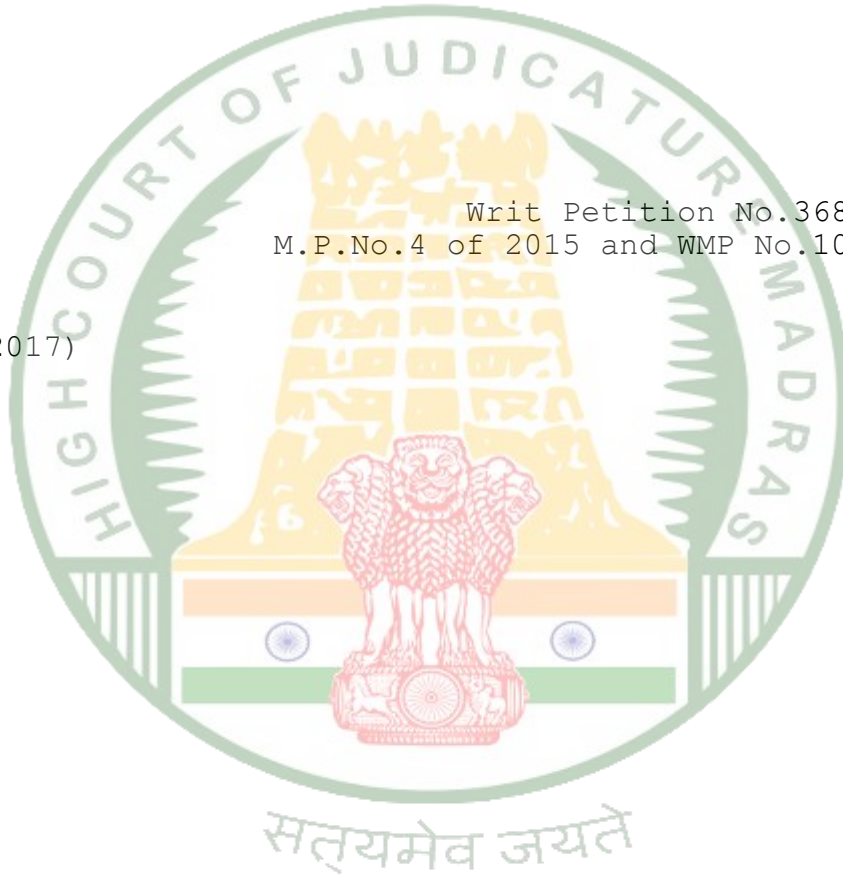
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2.The District Revenue Officer
Mudichur Road
Tambaram
Kancheepuram District

3.The Tahsildar
Solinganallur TK & Post
Kancheepuram District

+1 CC to Mr.A.Malathi Devapriyam, Advocate sr 84836.(11/12/2017)
+1 CC to Govt. Pleader sr 85402(11/12/2017)

SP(08/12/2017)



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