



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2017

WEB COPY

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P (MD) No.17854 of 2015

and

MP (MD) No.2 of 2015

1.M.Arumugam
2.Somu
3.S.Lakshmi
4.Thippu Sulthan
5.K.Ramalakshmi
6.S.Kulam Dasthagir
7.Ammenudeen

... Petitioners

vs.

1.The Sub Collector, Paramakudi,
Ramanathapuram District.

2.The Tahsildhar,
Mudukulathur Taluk,
Ramanathapuram District.

3.Shanmugam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Na.Ka.A5/4774/2014 dated 09.07.2015 on the file of the 1st Respondent herein, and quash the same and consequently direct the 2nd respondent to include the petitioners name in the patta by removing the 3rd respondents name.

For Petitioners : Mr.K.Rajeshwaran
For R1 and R2 : Mr.T.S.Mohammed Mohideen
Addl. Government Pleader

O R D E R

The writ petition is filed challenging the order passed by the first respondent arising out of the patta proceedings.

2.The petitioners have aggrieved against the order of the first respondent rejecting their request for cancelling the patta



transfer done already. As against the order passed by the first respondent, an appeal lies before the appellate authority viz., the District Revenue Officer, Ramanathapuram. Without exhausting such remedy, the petitioners have approached this Court and filed this writ petition. Therefore, I find that the present writ petition is not maintainable, without exhausting such alternative remedy.

3. Therefore, this writ petition is disposed of without expressing any view on the claim made by the petitioners, however by giving liberty to the petitioners to approach the appellate authority within a period of three weeks from the date of receipt of a copy of this order. If any such appeal is filed, it is for the appellate authority to consider the same on its own merits and in accordance with law. It is made clear that this Court is not expressing any view, as it is for the appellate authority to consider and decide. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar

rj2

To

1. The Sub Collector, Paramakudi,
Ramanathapuram District.

2. The Tahsildhar, Mudukulathur Taluk,
Ramanathapuram District.

+1CC to Mr.K.Rajeswaran, Advocate Sr.No.10103

+1CC to Spl.Government Pleader Sr.No.9643

GJM/MR/SAR-II-6.3.17-2p-5C

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