



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2017

CORAM:

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.3123 of 2017

K.Ayyammal

... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai - 625 020.

2. The Tahsildar,
Madurai North Taluk,
Collectorate Campus,
Madurai - 625 020.

3. K.Vellaisamy

4. C.Dhanapal

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned order passed by the second respondent in Moo.Mu.No.16655/16/B2, dated 19.01.2017 and quash the same as illegal and consequently, directing the second respondent to grant a patta to the petitioner's house property situated at Madurai District, Madurai North Registration District, Chokkikulam Sub-Registry, Madurai North Taluk, Thiruppalai Group, Kannanenthall Village, Natham Old Survey No.332, at present UDR Re-Survey No.80/1Plot No.13, Northern portion totally measuring an extent of 980 sq.ft of land purchased by a duly registered sale deed Document No.2317/2014, dated 26.05.2014 on the file of the Sub-Registrar, Chokkikulam based on the petitioner's application, dated 26.12.2016 within a stipulated time to be fixed by this Court.

For Petitioner : Mr.A.Kannan

For R1 and R2 : Mr.C.Selvaraj
Special Government Pleader

O R D E R

The petitioner is aggrieved against the order passed by the second respondent, dated 19.01.2017 rejecting her request for issuance of patta in respect of the subject matter land.

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2.As against the order passed by the second respondent, an appeal remedy lies before the Revenue Divisional Officer and further revision before the District Revenue Officer. Admittedly, the petitioner has not chosen to exhaust such statutory remedies and on the other hand, straight away filed the present writ petition challenging the order of the Tahsildar. Therefore, this Court, is of the view that the present writ petition is not maintainable, as the petitioner is having effective alternative remedy.

3.Accordingly, this writ petition is dismissed without expressing any view on the merits of the matter, only on the ground of maintainability. However, the petitioner is given liberty to approach the appellate authority and file such an appeal in the manner known to law. If any such appeal is filed, the appellate authority shall consider the same on its own merits and in accordance with law, after hearing all the parties concerned, as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-

Assitant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai - 625 020.
2. The Tahsildar, Madurai North Taluk,
Collectorate Campus,
Madurai - 625 020.

+1cc to M/s.A.KANNAN, Advocate, in SR No. 9951
+1cc to Special Government Pleader, Sr.No. 10492

RJ2

AAM-SV MMS 07.03.2017 2P 5C

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