



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.04.2017

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THE HON'BLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.6220 of 2017

and

W.M.P.(MD) Nos.4918 and 4919 of 2017

M.Kamatchi

... Petitioner

-vs-

1. The Tahsildar,
Madurai East Taluk,
Madurai District.

2. The Sub Registrar,
Othakadai Sub Registrar Office,
Othakadai, Madurai District.

3. P.Alagammal @ Lakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandmus, to call for the entire records pertaining to the impugned patta No.233, Village-Kodikulam-II Bit, Madurai East Taluk, Madurai District issued by the 1st respondent on 31.01.2017 in favour of the 3rd respondent and quash the same as illegal and directing the 1st respondent to issue the patta in the name of the petitioner within a period that may be stipulated by this Court.

For Petitioner : Mr.K.Suresh Kumar

For Respondents : Mr.M.Alagathevan, Spl.G.P.

For RR1 and 2

O R D E R

The petitioner has approached this Court for the relief states supra.

2.According to the petitioner, her husband purchased property comprised in Old S.No.208/07 and New S.No.34/7 with an extent of 48 cents situate at Kodikulam II Bit Village, Madurai East Taluk, Madurai District and he has been in absolute enjoyment and possession of the property till his death and after his death, the petitioner along with her son and daughter is in possession and enjoyment of the property till date.



3.It appears that the third respondent has purchased the same property on 31.08.2001. In this connection there was also a police complaint filed against the third respondent. According to the petitioner, the third respondent even though had no valid title to the property, had obtained the impugned patta behind the bank of the petitioner and no proper procedure was followed while patta was granted to third respondent. In this connection, the petitioner appears to have made a representation on 09.01.2017 to the first respondent and also before the Revenue Divisional Officer. Since there was no reply, the petitioner is before this Court seeking the relief stated supra.

4.As far as the issue on hand is concerned, the petitioner has a statutory remedy before the Revenue Divisional Officer or District Revenue Officer as the case may be. Whatever the grievance, the petitioner may have with regard to the impugned order, she may urge the same before the revenue authorities, who are appellate authorities constituted for the specific purpose of dealing with such matters. In view of the effective alternative remedy available for the petitioner, this Court cannot entertain the writ petition by invoking its extraordinary jurisdiction under Article 226 of Constitution of India.

5.Accordingly, this writ petition is dismissed, giving liberty to the petitioner to approach the appropriate revenue authority for redressing her grievances. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Madurai East Taluk,
Madurai District.
2. The Sub Registrar,
Othakadai Sub Registrar Office,
Othakadai, Madurai District.

+ 1 CC TO Mr.K.SURESH KUMAR, ADVOCATE IN SR No. 51653
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 51517

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