



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 28.04.2017

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P (MD) No.8434 of 2017

and

W.M.P (MD) Nos.6435 and 6436 of 2017

Sakthivel

.. Petitioner

Vs

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Ponnamaravathi Taluk,
Ponnamaravathi,
Pudukkottai District.

3. Rasu

.. Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the second respondent in T.R.2017/22/05/000010SD, dated 7.3.2017 and to quash the same as illegal, arbitrary, bias and without jurisdiction and consequently to direct the second respondent to remove the third respondent's name in the revenue records on the basis of the representation of the Petitioner dated 27.1.2009 and 12.4.2013.

For Petitioner : M/s.D.Parisuthanathan

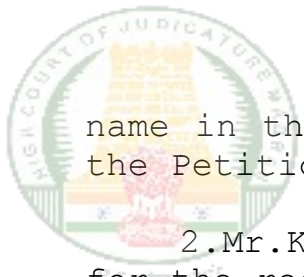
For Respondents : Mr.K.Mahesh Raja

1 and 2

Government Advocate

ORDER

The petitioner has approached this Court seeking for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the second respondent in T.R.2017/22/05/000010SD, dated 7.3.2017 and to quash the same as illegal, arbitrary, bias and without jurisdiction and consequently to direct the second respondent to remove the third respondent's



name in the revenue records on the basis of the representation of the Petitioner dated 27.1.2009 and 12.4.2013.

2.Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents 1 and 2.

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3.The Petitioner has filed this Writ Petition challenging the order passed by the Tahsildar, who is the second respondent herein. An appeal remedy is available before the Revenue Divisional Officer. However, without exhausting the effective alternative remedy, the Petitioner has approached this Court by invoking extraordinary jurisdiction under Article 226 of the Constitution of India. When an alternative remedy is available under the statute, without exhausting the same, the Petitioner has approached this Court directly, cannot be appreciated by this Court. Hence, the Writ Petition is not entertainable before this Court.

4.Accordingly, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Ponnamaravathi Taluk,
Ponnamaravathi,
Pudukkottai District.

+ 1 CC TO M/s.D.PARISUTHANATHAN, ADVOCATE IN SR No. 54886
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 55499

VSN

TE/MR : 10/05/2017 : 2P/5C

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W.M.P(MD)Nos.6435 and 6436 of 2017