

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.01.2018

CORAM

THE HONOURABLE MR.JUSTICE RAVICHANDRABAABU

W.P.No.1017 of 2018
and
W.M.P.No.1227 of 2018

1. Munusamy
2. Dillibabu
3. Minor Saravanan

S/o Munusamy,
Minor represented by his mother
Uma Maheswari

... Petitioners

vs.

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The Sub-Collector,
Madurantakam,
Kancheepuram District.
3. The Thasildhar,
Cheyyar Taluk,
Kancheepuram District.
4. Sakkarabani,
Son of vadivel Naicker,
Nerkunapattu village & Post,
Cheyyur Taluk,
Kancheepuram District.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the entire records relating to the impugned order passed by the 3rd respondent in proceedings Na.Ka.No.4587/2016/Aa.1 dated 31.05.2017 and quash the same.

For Petitioners : Mr.J.Milton Arul rajendran

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

O R D E R

Mr.D.Suryianarayanan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the

main writ petition is taken up for final disposal.

2. The petitioners are aggrieved against the order passed by the 3rd respondent dated 31.05.2017 in respect of patta proceedings.

3. Heard both sides.

4. Admittedly, as against the said order, an appeal lies before the second respondent. It is also an admitted fact that the petitioners have already filed an appeal before the second respondent, who in turn, issued a notice of enquiry also on 04.08.2017. It is not in dispute that the said appeal is pending before the second respondent. When such being the factual position, I do not think that the petitioners are entitled to maintain the present writ petition before this Court challenging the order passed by the third respondent. Thus, the writ petition is dismissed, without expressing any view on the merits of the matter, only on the reason that the petitioners have a statutory appeal remedy which they have already exercised before the second respondent and that the said appeal is also still pending. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Kancheepuram,
Kancheepuram District.
2. The Sub-Collector,
Madurantakam,
Kancheepuram District.
3. The Thasildhar,
Cheyyar Taluk,
Kancheepuram District.

+1cc to Government Pleader Sr.No.4111
sm:25.1.2018

W.P.No.1017 of 2018