

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.6705 of 2018

and

WMP.No.8334 of 2018

M.Palanisamy
S/o.Muthusamy

.. Petitioner

Vs.

1.The District Collector
Namakkal District.

2.The District Revenue Officer
Namakkal District.

3.The Revenue Divisional Officer
Thiruchengodu (Taluk)
Namakkal District.

4.The Thasildar
Paramathi Velur (Taluk)
Namakkal District.

5.T.Tamilazhakan
S/o.Thangaraj

6.D.Sakunthala
W/o.Dharmalingam

.. Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the record, together with all supporting files and documents including reports and to quash the impugned order passed by the 3rd respondent in Na.Ka/4829/2017/a, dated 21.02.2018 in favour of the 6th respondent to transfer the alleged Patta in her favour, arbitrarily by without conducting any enquiry and also quash the impugned order passed by the 4th respondent in Na.Ka.854/2018/a4 dated 01.03.2018 in favour of the 6th respondent and direct the 2nd respondent to restore the Patta in the name of the 5th respondent by cancelling the Patta in the name of the 6th respondent till the disposal of the Declaration Suit in O.S.No.380/2017 for nullity for sale deed pending before the learned Sub-Judge, Sub-ordinate Court, Namakkal within a period fixed by this Hon'ble Court.

For Petitioner : Mr.D.Saravanakumar
For Respondents : Mr.E.Balamurugan
Special Government Pleader for R1 to R4

O R D E R

This writ petition is filed challenging the orders of the Tahsildar and the Revenue Divisional Officer, arising out of Patta proceedings.

2. The petitioner is having further statutory remedy of revision before the concerned District Revenue Officer. Without exhausting such remedy, the petitioner has approached this Court and filed the present writ petition. In my considered view, this writ petition is not maintainable, as the petitioner is having an alternative remedy before the District Revenue Officer, who is also a fact finding authority. Accordingly, without expressing any view on the merits of the matter, this writ petition is disposed of, by granting liberty to the petitioner to file such revision before the concerned District Revenue Officer, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Namakkal District.
- 2.The District Revenue Officer
Namakkal District.
- 3.The Revenue Divisional Officer
Thiruchengodu (Taluk)
Namakkal District.
- 4.The Thasildar
Paramathi Velur (Taluk)
Namakkal District.

+1cc to Mr.E.Balamurugan, Special Government Pleader SR.No.22838

MR(CO)
sm:6.4.2018

W.P.No.6705 of 2018