

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.19183 of 2015
and
M.P.Nos.1 & 2 of 2015

G.Eswari

..Petitioner

vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram Distirct.

3.The Tahsildar,
Kallakurichi Taluk,
Villupuram District.

4Saradhambal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus issue to call for the records relating to the impugned order in T (A3)/05/1422-F dated 25.11.2012 passed by the 3rd respondent, quash the same and consequently direct the respondents 1 to 3 to grant Assignment Patta for the lands 77 ½ cents comprised in S.F.No.11/2, Keelnariappanur Village, Kallakurchi Taluk, Villupuram District in the name of the petitioner by considering her representation dated 16.08.2011.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.M.Elumalai
1 to 3 Government Advocate

For Respondent 4 : No appearance

O R D E R

The order passed by the 3rd respondent/Tahsildar, Kallakurichi, Villupuram District in proceedings dated

25.11.2012, for granting patta in favour of the 4th respondent is under challenged in this writ petition.

2. The learned counsel appearing on behalf of the writ petitioner made a submission that in spite of the fact that the writ petitioner is the owner of the land in question. The patta is erroneously granted in favour of the 4th respondent by the 3rd respondent/Tahsildar. Thus, the writ petitioner is constrained to move the present writ petition.

3. The patta proceedings are initiated by the Tahsildar under the Patta Pass Book Act, 1983. Section 12 provides an appeal to the higher authority and the learned Government Advocate made a submission that the District Revenue Officer is the Appellate Authority under the provisions of the Patta Pass Book Act. Thus, the petitioner has to prefer an appeal before the Appellate Authority under Section 12 of the Act. This being the statutory appeal, the present writ petition cannot be entertained under Article 226 of the Constitution of India. It is left open to the writ petitioner to approach the Appellate Authority under the Patta Pass Book Act for the redressal of her grievances.

4. With these observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

nmm/ah

To

1.The District Collector,
Villupuram District, Villupuram.

2.The Revenue Divisional Officer,
Kallakurichi, Villupuram Distirct.

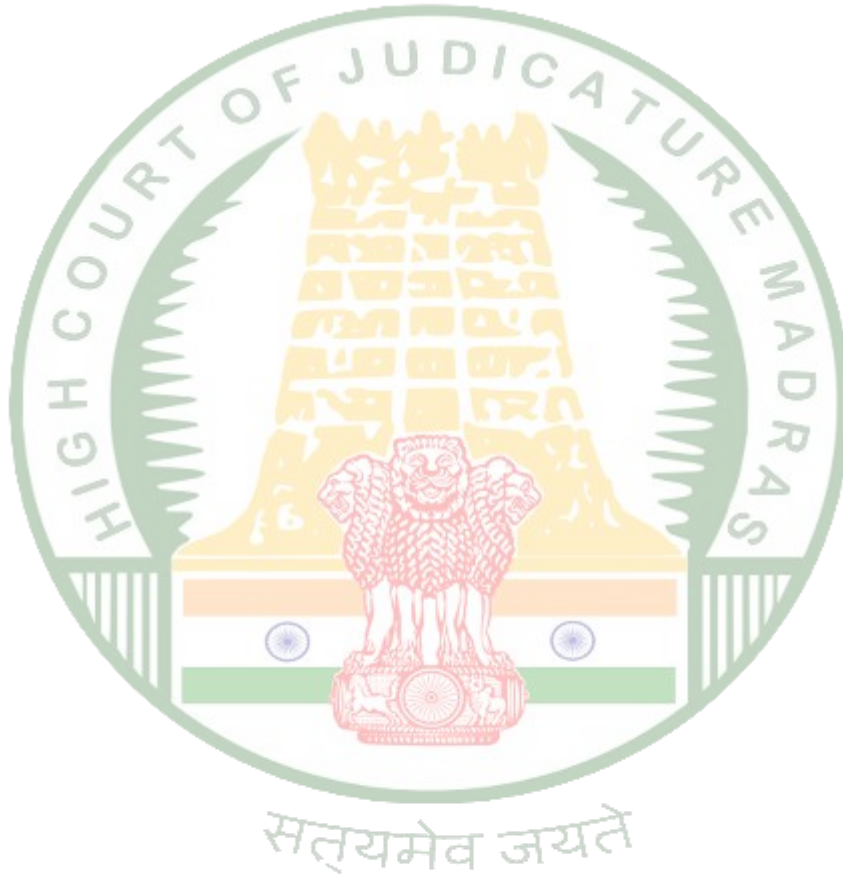
WEB COPY

3.The Tahsildar,
Kallakurichi Taluk, Villupuram District.

+lcc to Mr.N.Manokaran, Advocate sr.no.38427
+lcc to Government Pleader in sr.no.38723

W.P.19183 of 2015
and
M.P.No.1 of 2014

nr 11/07/2018



WEB COPY