



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.1405 of 2018

WEB COPY

P.Raja

... Petitioner

Vs.

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

2. Kottanki Karuppa Thevar

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order of the 1st Respondent dated 29.12.2017 vide his proceedings in Na.Ka. No.4825/2016/Aa2 dated 18.12.2016 and quash the same as illegal consequently direct the 1st Respondent to issue Patta in petitioner favour as per the Court sale made in E.P. No.258 of 1952 in S.C.No.616 of 1950 on the file of the District Munsif Thirumangalam in respect of the property in S.F.No.27/8 for an extent of 73 Cents out of 99 cents situated at Nadupatti Village, Usilmpatti Taluk, Madurai District.

For Petitioner : Mr.T.Vadivelan
For 1st Respondent : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 29.12.2017 whereby the first respondent has mutated patta by inserting the name of the grandsons of the second respondent instead of the name of the petitioner.

2.Admittedly, there is appeal remedy available against the transfer of patta in favour of the third party before the Revenue Divisional Officer and thereafter, revisional remedy is also available before the District Revenue Officer. The petitioner has approached this Court without exhausting the remedies available under the statutes and therefore, the writ petition is not maintainable. Therefore, the writ petition is dismissed. However, liberty is granted to the petitioner to file an appeal before the Revenue Divisional Officer, if he is so advised. No costs.

Sd/-

Assistant Registrar(CS-III)



To

The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

+1cc to Mr.T.Vadivelan, Advocate Sr.No.44401

SMS

VB/KKR/SAR2/01.02.2018/2P/3C

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