



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18069 of 2018

and

W.M.P. (MD) Nos.15963 and 15964 of 2018

Southa Banu

... Petitioner

vs.

1. The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

2. The Tahsildar,
Manamekudi Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorari calling for the records pertaining to the order passed by the first respondent in his proceedings in Na.Ka.3396/2018/A3, dated 18.07.2018 and quash the same insofar as the patta No.421 in S.F.No.288/2, 288/4 of Kodikkulam Village, Manamelkudi Taluk, Pudukkottai District as illegal and arbitrary.

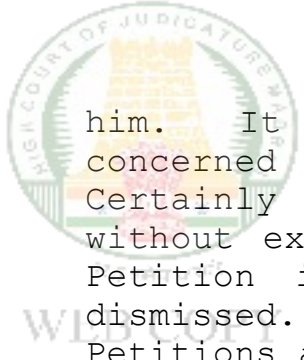
For Petitioner : Mr.K.Baalasundharam
For Respondents : Mr.S.Angappan
Government Advocate

O R D E R

The petitioner is before this Court challenging the order passed by the first respondent herein dated 18.07.2018.

2. As against the order passed by Revenue Divisional Officer, there is an effective alternative remedy available by means of filing an appeal against the order to the District Revenue Officer. Without exhausting the effective alternative remedy, the petitioner has directly approached this Court by invoking its extraordinary jurisdiction under Article 226 of the Constitution of India. When an effective alternative remedy is available under the provisions of relevant statute, the parties ought to exhaust such remedy before approaching this Court. The petitioner, bypassing such remedy, approached this Court directly.

3. Therefore, this Court is of the considered view that the writ petition is not maintainable on the ground that the petitioner has not exhausted the alternative remedy available to



him. It is open to the petitioner to approach the Authority concerned and seek whatever remedies to redress his grievance. Certainly it is not open to him to approach this Court directly without exhausting such alternative remedy. Therefore, the Writ Petition is liable to be dismissed. Accordingly the same is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.
2. The Tahsildar,
Manamekudi Taluk,
Pudukkottai District.

+1cc to Mr.K.Baalasundharam, Advocate SR.No.78909
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.79100
Ssl
MK/RP/SAR 1/07.09.2018/2P/5C

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