

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.02.2019
CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.No.2916 of 2019
and
W.M.P.Nos.3176 & 3177 of 2019

Kalimuthu

...Petitioner

Vs

1. The District Revenue Officer,
Coimbatore South,
Coimbatore.

2. The Thasildar,
Sulur,
Coimbatore.

3. Mallika

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 29.06.2016 in D.R.No.2016/2/10/000004SD on the file of 2nd respondent and quash the same and consequently for a direction against the second respondent to cancel the sub division made in Survey No.436/2B9 and further to restore and original patta in favour of the petitioner for the total extent of the property.

For Petitioner : Mr.Thomas Rajadurai
for M/s.RRN Legal

For Respondents: Mr.R.Govindasamy
Special Government Pleader for R1 & R2.

O R D E R

Mr.R.Govindasamy, learned Special Government Pleader, takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed challenging the proceedings of the 2nd respondent Tahsildar dated 29.06.2016 transferring the patta in the name of the 3rd respondent.

3. Needless to say that the petitioner has to only exhaust the statutory remedy available in the Patta Passbook Act first, before resorting to file the present writ petition, that too, against an order made as early as on 29.06.2016. Therefore, this

Court is not inclined to entertain the present the writ petition as the petitioner has to avail the Appeal remedy before the competent authority. Accordingly, this writ petition is dismissed. It is open to the petitioner to file such appeal by raising all the contentions including the reason for filing the appeal with a delay. If any such appeal is filed, it is for the appellate authority to consider and decide the same in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Revenue Officer,
Coimbatore South,
Coimbatore.
2. The Thasildar,
Sulur,
Coimbatore.

+lcc to M/s.RRN Legal, Advocate sr.no.9073
+lcc to Government Pleader sr.no.10262

W.P.No.2916 of 2019

gj(co)
nr 04/03/2019

सत्यमेव जयते

WEB COPY