

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4548 of 2019

Valasammal

...Petitioner

Vs.

1. The Commissioner of Revenue Administration,
Ezhilagam,
Chennai-600005.
2. The District Collector,
Tiruppur District,
Tiruppur.
3. The Revenue Divisional Officer,
Tiruppur District,
Tiruppur.
4. The Tahsildhar,
Palladam Taluk,
Palladam,
Tiruppur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent to pass appropriate orders on petitioner's appeal against the order of the 4th respondent dated 02.07.2015 made in Na.Ka.No.2653/2015/A2 based on petitioner's application for issuance of patta transfer in favour of the petitioner in respect of the property comprised in Survey No.170/A2, to an extent of 1.94 acres situated at Kattur Village, Palladam Taluk, Tiruppur District and to issue patta in favour of the petitioner within a stipulated time.

For Petitioner : Mr.Prabakaran C

For Respondents : Mr.R.Govindasamy
Special Government Pleader

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. The petitioner seeks for a direction to the first respondent to pass orders on the appeal dated 14.01.2019 as against the order of the fourth respondent- Tahsildhar dated 02.07.2015.

3. It appears that the petitioner is aggrieved against the order of the fourth respondent in respect of patta proceedings. If the fourth respondent-Tahsildar has passed some orders adversely against the petitioner in respect of patta proceedings, it is for the petitioner to work out his remedy before the concerned Revenue Divisional Officer, by filing appeal. Without doing so, the petitioner is not justified in approaching the first respondent, who is not having any role in the patta proceedings, more particularly, when the authorities below viz., the Revenue Divisional Officer as well as the District Revenue Officer have not gone into the matter so far.

4. Therefore, this writ petition is disposed of, by granting liberty to the petitioner to file an appeal before the concerned Revenue Divisional Officer viz., the third respondent by explaining the delay. On filing of such an appeal with delay application, it is for the third respondent to consider and pass orders on the same on merits and in accordance with law, as this Court is not expressing any view on the merits of the claim of the petitioner. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sni/mk

To

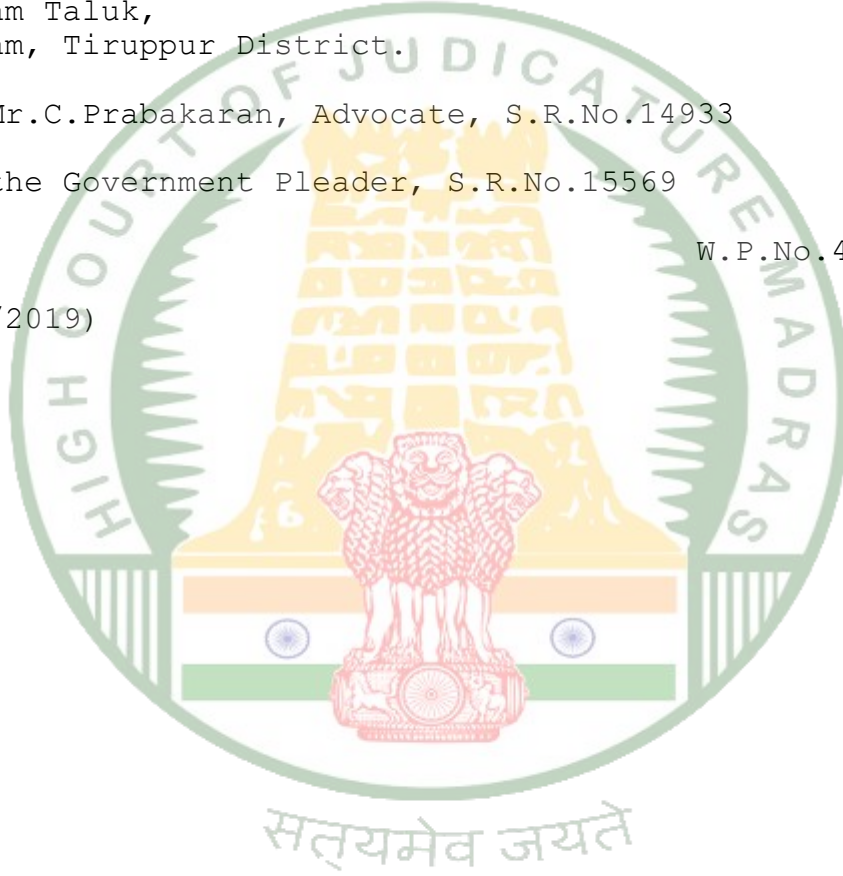
1. The Commissioner of Revenue Administration,
Ezhilagam, Chennai-600005.
2. The District Collector,
Tiruppur District, Tiruppur.
3. The Revenue Divisional Officer,
Tiruppur District, Tiruppur.
4. The Tahsildhar,
Palladam Taluk,
Palladam, Tiruppur District.

+1 cc to Mr.C.Prabakaran, Advocate, S.R.No.14933

+1 cc to the Government Pleader, S.R.No.15569

W.P.No.4548 of 2019

CA(CO)
SSM(11/03/2019)



WEB COPY