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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.15053 of 2016

A.Arunachalam

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Perambalur,
Perambalur District.

2.The Tahsildar,
Veppanthattai Taluk,
Perambalur District.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus directing the 2nd respondent to consider the petitioner's representation dated 14.09.2015 and to pass appropriate orders on his representation within a time frame.

For Petitioner : Mr.G.Ilamurugu

For Respondents: Ms.A.Madhumathi,

Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the 2nd respondent to consider his representation dated 14.09.2015 seeking for cancellation of the patta issued in favour of one Ramani.

2.On a perusal of the affidavit filed in support of the petition, it could be seen that the petitioner has given his representation to the 2nd respondent seeking for cancellation of the patta issued in favour of one Ramani, however, the said Ramani has not been made as a respondent in the Writ Petition. Further, the remedy open to the petitioner to get the patta cancelled is only under Section 12 of the Patta Pass Book Act and not by the 2nd respondent, who is the original authority, who had issued the patta.



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3.Ms.A.Madhumathi, learned Special Government Pleader appearing for the respondents submitted that the petitioner has to file an appeal under Section 12 of the Patta Pass Book Act and the prayer sought for in the Writ Petition cannot be granted.

4.In view of the submissions made by the learned counsel on either side, the Writ Petition is disposed of and it is open to the petitioner to file an appeal under Section 12 of the Patta Pass Book Act challenging the issuance of patta in favour of one Ramani, in accordance with law. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,
Collectorate, Perambalur,
Perambalur District.

2.The Tahsildar,
Veppanthattai Taluk,
Perambalur District.

+1 CC to Mr.G.Ilamurugu, Advocate sr 30333.
+1 CC to Govt. Pleader sr 30493.

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VSNI (CO)
SP(19/10/2020)