



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.7960 of 2020

E.Rasool Mohideen

Petitioner

vs.

1. The Collector of Kancheepuram,
Collectorate of Kancheepuram,
Kancheepuram District.
2. The Thasildar,
Sholinganallur, OMR Road Chennai.
3. Mrs.Rasheeda Begum

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, revoking the order passed by the Thasildar dated 09.01.2017 vide Order Na.Ka.No.4818/2016/A and to direct the first and the second respondents there by to reassign the original survey number to the petitioner bearing plot No.12, with 2400 sq.ft. of land in S.No.96/1B2B in Patta No.4933 of Madipakkam which was erroneously allotted to the third respondent Rasheedha Begum who is the neighbor of the petitioner, Plot No.13, which is already existing in all the Registered Documents of the petitioner and on the basis of the petitioner application for the same dated 21.06.2016.

For Petitioner : Mr.T.Kamalakaran

For Respondents: Mr.E.Balamurugan
Special Government Pleader
for R1 & R2

O R D E R

This writ petition has been filed challenging the order passed by the Tahsildar by proceedings dated 09.01.2017 refusing to transfer the patta in the name of the petitioner.

2.Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.



3. This Court cannot entertain this writ petition on two grounds. The first ground is that the petitioner has not given any explanation in his affidavit as to why an order passed in the year 2017 is challenged after nearly three years by way of filing this writ petition. There is no explanation for the delay. The 2nd ground is that there is an appellate remedy under the Patta Pass Book Act, wherein, against the rejection order passed by the Tahsildar, an appeal can be filed before the RDO. This remedy has not been availed by the petitioner. In view of the alternative remedy available to the petitioner, this Court is not inclined to entertain this writ petition.

4. For the above said reasons, the present writ petition stands dismissed. No Costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Collector of Kancheepuram,
Collectorate of Kancheepuram,
Kancheepuram District.
2. The Thasildar,
Sholinganallur, OMR Road Chennai.

W.P No.7960 of 2020

MP (CO)
GN (01/07/2020)