

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.30951 of 2015  
and M.P.No.1 of 2015

1.R.Kutty @ Purushothaman  
2.Parvathi  
3.K.Gopalakrishnan  
4.Muniyappan @ Selvaraj  
5.Rajamanikam @ Manikam

... Petitioners

Vs.

1.The District Collector,  
Thiruvallur District.  
2.The Tahsildar,  
Madhuravoyal Taluk, Thiruvallur District.  
3.The President,  
Adaiyalampattu Village & Panchayat,  
Madhuravoyal Taluk, Thiruvallur District.

... Respondents

Petition filed under Article 226 of the Constitution of India for issuing a writ of mandamus forbearing the respondents from dispossessing the petitioners from their residence comprising in Survey No.33/2 situated at Adaiyalampattu Village, Madhuravoyal Taluk, Thiruvallur District and consequently, to direct the 2<sup>nd</sup> respondent to consider the petitioner's representation dated 24.08.2015 and issue patta in favour of the petitioners.

For Petitioners: Mr.M.Rajendran

For Respondents: Ms.A.Madhumathi,

Special Government Pleader

O R D E R

The petitioners have filed the above Writ Petition to issue a Writ of Mandamus forbearing the respondents from dispossessing the petitioners from their residence comprising in Survey No.33/2 situated at Adaiyalampattu Village, Madhuravoyal Taluk, Thiruvallur District and consequently, to direct the 2<sup>nd</sup> respondent to consider the petitioners' representation dated 24.08.2015 and issue patta in favour of the petitioners.

2.The 2<sup>nd</sup> respondent filed a counter wherein it has been stated that the petitioners' representation was considered by him and the same was also rejected on 08.05.2015.

3.When the 2<sup>nd</sup> respondent had rejected the petitioners' application seeking for issuance of patta, the remedy open to the petitioners is only to file an appeal under Section 12 of the Patta Pass Book Act. In such view of the matter, I am not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. However, it is open to the petitioners to challenge the order passed by the 2<sup>nd</sup> respondent dated 08.05.2015 in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-  
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

va  
To

- 1.The District Collector,  
Thiruvallur District.
- 2.The Tahsildar,  
Madhuravoyal Taluk, Thiruvallur District.
- 3.The President,  
Adaiyalampattu Village & Panchayat,  
Madhuravoyal Taluk, Thiruvallur District.

+1 CC to The Govt. Pleader sr 33849.

W.P.No.30951 of 2015  
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NMI (CO)  
SP(11/11/2020)