

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.11.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.16258 of 2020 &
W.M.P.No.20319 of 2020

1 C.Ellappan ... Petitioners
2 C.Mahalingam

Vs

1 The District Collector, ... Respondents
O/o. The District collector
(Earlier Vellore District)
Now Thirupattur District
2 The Revenue Divisional Officer/Sub Collector,
Thirupattur, Thirupattur District.
3 The Tahsildar,
Vanniyambadi Taluk,
Thirupattur District.
4 The Zonal Deputy Tahsildar,
Vanniyambadi Taluk,
Thirupattur District
5 The Village Administrative officer,
23, Govindapuram, Kanavai Pudhur Village,
Vanniyambadi Taluk,
Thirupattur District.
6 The Village Assistant,
O/o. Village Administrative Officer,
23, Govindapuram, Kanavai Pudhur Village,
Vanniyambadi Taluk, Thirupattur District.

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus order in Oo. MU. A4/3731/2018 dated 27.9.2018 passed by the 3rd respondent and quash the same as illegal improper, unreasonable, arbitrary and against the Principles of natural justice and thereby direct the 3rd respondent to consider the Petitioner's application dated

06.02.2018 for name transfer of Patta and thereby direct the respondents to include the name of the petitioners in the existing Patta No.3 in respect of the property situated in Survey No 27/5A, Govindapuram Village, Vanniyambadi Taluk, Thirupattur District totally to an extent of 1.79 Hectares of 4.42 Acres of land including house site and issue joint patta in the name of the petitioners.

For Petitioner : Mr.A.Rajesh Kanna

For Respondents : Mr.S.N.Parthasarathi
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned order passed by the 3rd respondent dated 27.09.2018, wherein the 3rd respondent had refused to include the name of the petitioner in the joint patta with respect to the subject property.

2. Heard Mr.A.Rajesh Kanna, learned counsel for the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate appearing on behalf of the respondents.

3. The impugned order was passed by the 3rd respondent by proceedings dated 27.09.2018. The 3rd respondent has assigned reasons for rejecting the claim made by the petitioner. If the petitioner was aggrieved with this order, the petitioner ought to have filed an appeal before the RDO under the provisions of the Patta Pass Book Act. The petitioner has not chosen to file any such appeal. That apart the petitioner has approached this Court after nearly 2 years and the only reason given in the affidavit to justify such a delay is that the petitioner was facing financial hardship and was suffering from ill health. This reason given by the petitioner is far from satisfactory to justify the delay in approaching this Court.

4. In view of the above, both on the ground of laches as well as on the ground of availability of an alternative remedy, this Court is not inclined to entertain this writ petition and accordingly this Writ Petition stands dismissed.

sd/
ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

lpp

To

- 1 The District Collector,
O/o. The District collector
(Earlier Vellore District)
Now Thirupattur District
 - 2 The Revenue Divisional Officer/Sub Collector,
Thirupattur, Thirupattur District.
 - 3 The Tahsildar,
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O/o. Village Administrative Officer,
23, Govindapuram, Kanavai Pudhur Village,
Vanniyambadi Taluk, Thirupattur District.
- +1 CC to THE GOVERNMENT PLEADER, SR.NO.37546

+1 CC to Mr.A.Rajesh Kanna, Advocate on payment of
necessary charges SR.NO.37104

सत्यमेव जयते

W.P.No.16258 of 2020 &
W.M.P.No.20319 of 2020

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