



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P. (MD)No.16397 of 2020

and

W.M.P. (MD)Nos.13718 and 13722 of 2020

WEB COPY

M.Kathamuthu

... Petitioner

-vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Ilayangudi,
Sivagangai District.

3.Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.A1/2414/2020, dated 28.10.2020 passed by the second respondent and quash the same and consequent direction to the second and third respondents not to interfere in Survey Nos.15/6, 15/9 in Patta No.628 situated at Nagamukunthangudi Village, Ilayangudi Taluk, Sivagangai District.

For Petitioner

: Mr.K.Malaimaran

For Respondents

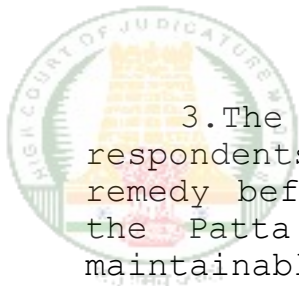
: Mr.K.P.Krishnadoss

Special Government Pleader

ORDER

The petitioner has come forward with the present Writ Petition challenging impugned order in Na.Ka.A1/2414/2020, dated 28.10.2020 passed by the second respondent and consequential direction to the second and third respondents not to interfere in Survey Nos.15/6, 15/9 in Patta No.628 situated at Nagamukunthangudi Village, Ilayangudi Taluk, Sivagangai District.

2.Heard the learned Counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader, who took notice for the respondents 1 and 2.



3.The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that the petitioner has got appeal remedy before the Revenue Divisional Officer as per Section 12 of the Patta Passbook Act and hence, this Writ Petition is not maintainable.

4.Considering the fact that the petitioner has got appeal remedy, this Court is not inclined to grant the relief sought for as such in this Writ Petition and accordingly, the Writ Petition is dismissed. However, it is open to the petitioner to approach the appellate authority or revisional authority. If the petitioner approaches the appellate authority or revisional authority, the authority concerned shall pass orders in accordance with law after affording an opportunity of hearing to all the parties concerned. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Ilayangudi,
Sivagangai District.

+1 CC to SPL GP (SR-22537[F] dated 23/11/2020)

W.P(MD)No.16397 of 2020

20.11.2020

VB (21.12.2020) 2P 4C