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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.15762 of 2011

and

M.P.No.2 of 2011

Rama Reddy

... Petitioner

.Vs.

1. The District Collector,
Krishnagiri District.
2. The Revenue Divisional Officer,
Hosur Revenue Division,
Krishnagiri,
Krishnagiri Taluk.
3. The Tahsildar,
Taluk Office,
Hosur.
4. Muniamma
5. Rajagopalreddy
6. Krishnareddi
7. Radhakrishna reddy
8. M.Nagaraj
9. Devendra
10. Shyla

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records in connection with the patta No.371 of Thumanapalli Village, Hosur Taluk, Krishnagiri District issued by the third respondent insofar as inclusion of Sl.No.7 to 13 and UDR Patta No.71 of Jogikalasamanapalli Village, Hosur Taluk, Krishnagiri District, issued by the third respondent insofar as inclusion of Sl.No. 7 to 10 and quash the same. (Prayer amended as per order dated 19.04.2013 in M.P.No.1 of 2013 in W.P.No.15762 of 2011)



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For Petitioner : No appearance
For R1 to R3 : Mr.Richardson Wilson
Government Advocate
For R4 : Died (Steps due)
For R5 to R10 : Mr.V.Nicholas

O R D E R

This Writ Petition has been filed to issue a Writ of Certiorari, calling for the records in connection with the patta No.371 of Thumanapalli Village, Hosur Taluk, Krishnagiri District issued by the third respondent insofar as inclusion of Sl.No.7 to 13 and UDR Patta No.71 of Jogikalasamanapalli Village, Hosur Taluk, Krishnagiri District, issued by the third respondent insofar as inclusion of Sl.No. 7 to 10 and quash the same.

2. In the order passed by the third respondent, patta was issued in favour of 13 persons, in which the respondents 5 to 10 are also beneficiaries. The case of the petitioner is that he owned 8 acres of agricultural land in survey Nos.217/1, 237/3, 212/4, 254/2, 254/3 at Thummanapalli Village and 16 acres of land in survey Nos.3/2, 4, 5, 60, 61/2, 32, 63/3, 64, 67/1, 67/3, 68, 69, 74, 65 at Jogikalasamanapalli Village.

3. While being so, the third respondent issued joint patta by including the names of the respondents 5 to 10 herein, those who are not having any title over the property. Therefore, the petitioner challenged the patta issued by the third respondent herein.

4. There is an appeal remedy as against the issuance of patta under Section 12 of the Patta Pass Book Act. When there is a specific remedy of appeal available, this Court cannot entertain the writ petition under Article 226 of the Constitution of India. Therefore, the Writ Petition is devoid of merits.

5. In view of the above, the Writ Petition stands dismissed. However, the petitioner is at liberty to file an appeal under Section 12 of the Patta Pass Book Act before the Appellate Authority. The period of pendency of the writ petition may be excluded while calculating the period of limitation to file an appeal. On receipt of the appeal, the Appellate Authority is directed to dispose of the appeal within a



period of twelve weeks thereafter. Consequently, connected Miscellaneous Petition is closed. No cost.

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Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Lpp

To

1. The District Collector,
Krishnagiri District.
2. The Revenue Divisional Officer,
Hosur Revenue Division,
Krishnagiri,
Krishnagiri Taluk.
3. The Tahsildar,
Taluk Office,
Hosur.

+1cc to Mr.V.Nicholas, Advocate, S.R.No.38878
+1cc to the Government Pleader, S.R.No.38808

W.P.NO.15762 OF 2011 AND
M.P.NO.2 OF 2011

LN(CO)
PBS/23/09/2021