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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2021

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.Nos.10477 & 10478 of 2009
and
M.P.No.1 of 2009

W.P.No.10477 of 2009

M/s.New Chennai Township Private Limited,
Rep. by its Company Secretary
S.Sampathkumar
No.4/318, Marg Axis,
Old Mahabalipuram Road,
Kottivakkam, Chennai - 600 041.

... Petitioner

Vs

1. Collector,
District Collectorate,
Government of Tamil Nadu,
Kancheepuram.
2. District Revenue Officer,
District Collectorate,
Government of Tamil Nadu,
Kancheepuram.
3. Revenue Divisional Officer,
Kancheepuram District,
Maduranthagam.
4. Tahsildar,
Cheyyar Taluk,
Cheyyar.
5. Deputy Tahsildar (Head Office),
Cheyyar Taluk,
Cheyyar.
6. Baktha @ Bakthammal

... Respondents



W.P.No.10478 of 2009

M/s.New Chennai Township Private Limited,
Rep. by its Company Secretary
S.Sampathkumar
No.4/318, Marg Axis,
Old Mahabalipuram Road,
Kottivakkam, Chennai - 600 041.

... Petitioner

Vs

1. Collector,
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3. Revenue Divisional Officer,
Kancheepuram District,
Maduranthagam.
4. Tahsildar,
Cheyyar Taluk,
Cheyyar.
5. Deputy Tahsildar (Head Office),
Cheyyar Taluk,
Cheyyar.
6. Dharani Devi

... Respondents

Prayer in W.P.No.10477 of 2009 :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorari, calling for the records relating to the impugned order in Patta No.1182 dated 10.06.2009 on the file of the fifth respondent herein and quash the same.

Prayer in W.P.No.10478 of 2009 :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorari, calling for the records relating to the impugned order in Patta No.1181 dated 10.06.2009 on the file of the fifth respondent herein and quash



the same.

For Petitioner in both W.Ps : Mr.V.V.Sivakumar

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For R1 to R5 in both W.Ps : Mr.Richardson Wilson,
Government Advocate

For R6 in both W.Ps. : Mr.Nagusha

ORDER

These Writ Petitions are filed to issue a writ of certiorari, calling for the records relating to the impugned order in Patta Nos.1181 & 1182 dated 10.06.2009 on the file of the fifth respondent herein and quash the same.

2. It is seen that these writ petitions have been filed against the order passed by the fifth respondent i.e., Deputy Tahsildar. There is an appeal remedy available under Section 12 of the Patta Pass Book Act before the Revenue Divisional Officer. When there is a specific remedy provided under the said Act to file an appeal for issuance of patta, this Court cannot entertain these writ petitions filed under Article 226 of the Constitution of India. Therefore, these writ petitions are devoid of merits and it is liable to be dismissed.

3. Accordingly, these writ petitions are dismissed. However, the petitioner is at liberty to file an appeal as against the patta issued by the fifth respondent in the manner known to law, within a period of two weeks from the date of receipt of a copy of this order. The period of pendency of these writ petitions may be excluded while taking the appeal on file by the Appellate authority/Revenue Divisional Officer. Consequently, connected Miscellaneous Petition is closed. No order as to costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. Collector,
District Collectorate,
Government of Tamil Nadu,
Kancheepuram.
2. District Revenue Officer,
District Collectorate,
Government of Tamil Nadu,
Kancheepuram.
3. Revenue Divisional Officer,
Kancheepuram District,
Maduranthagam.
4. Tahsildar,
Cheyyar Taluk,
Cheyyar.
5. Deputy Tahsildar (Head Office),
Cheyyar Taluk,
Cheyyar.

+1cc to M/s.V.V.Sivakumar, Advocate, S.R.No.41274

+1cc to the Government Pleader, S.R.No.41107

WP.No.10477 & 10478 of 2009
and M.P.No.1 of 2009

KSM(CO)
CS(15/09/2021)