



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM

THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN

WP.No.16486 of 2013
and
M.P.Nos.1 & 2 of 2013

K.S.Mariyappan

...Petitioner

Vs

1. The District Collector,
District Collectorate Buildings,
Thiruvallur

2. The Tahsildar,
Taluk Office,
Thiruvallur and District

...Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records and quash the impugned order in Na.Ka.No.526-2013 AA3 dated 07.02.2013 passed by the second respondent viz. Tahsildar, Taluk Office, Thiruvallur and Thiruvallur District.

For Petitioner : No appearance

For RR1 & 2 : Mr.M.R.Gokul Krishnan
Government Advocate

ORDER

This writ petition is filed to issue a Writ of Certiorari calling for the records and quash the impugned order in Na.Ka.No.526-2013 AA3 dated 07.02.2013 passed by the second respondent, thereby rejected the request for issuance of patta for the reason that the petitioner failed to file any documents to substantiate the claim of issuance of patta.

2. The revenue records revealed that the subject land is a poramboke. As against the order passed by the second respondent, in respect of issuance of patta, there is statutory provision for appeal under Section 12 of the Patta Passbook Act. Therefore, the writ petition cannot be maintained as against the order passed by the second respondent when there is a statutory remedy available.



3. In view of the above, the petitioner is directed to file an appeal as against the order passed by the second respondent before the Revenue Divisional Officer under Section 12 of the Patta Passbook Act within a period of two weeks from the date of receipt of copy of this order. It is made clear that the period of pendency of this writ petition may be excluded while calculating the period of limitation while entertaining the appeal.

4. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
District Collectorate Buildings,
Thiruvallur
2. The Tahsildar,
Taluk Office,
Thiruvallur and District

WP.No.16486 of 2013

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NSK 02/11/2021