



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.NO.22466 OF 2012

M.Meeran

... Petitioner

-Vs-

1. Revenue Divisional Officer,
Ambattur

2. Tasildhar,
Madhavaram

3. K.Neelavathi

4. Hamilton Wilson

... Respondents

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to quash the order of cancellation of the patta which is in the name of petitioner by the first respondent in the proceedings Na.No.1156/2012 A-2 dated 20.07.2012 and to direct the first respondent to conduct re-enquiry.

For petitioner : No Appearance

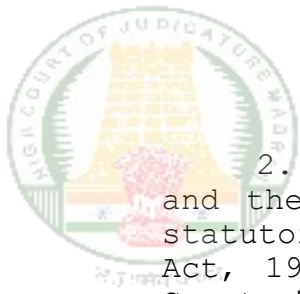
For Respondents

For R1 & 2 : Mr.M.R.Gokul Krishnan,
Government Advocate

For R3 : No appearance

ORDER

The writ petition has been filed as against the order passed by the first respondent dated 20.07.2012, thereby cancelled the patta issued in favour of the petitioner in respect of the property comprised in survey No.156/5 situated at Pulliline Village, Madhavaram, Tiruvallur District.



2. In fact, the petitioner also appeared for the enquiry and thereafter the impugned order has been passed. There is a statutory appeal remedy under Section 13 of the Patta Passbook Act, 1983 before the District Revenue Officer. Therefore, this Court is not inclined to entertain this writ petition under Article 226 of the Constitution of India when there is a specific appeal remedy is available.

3. In view of the above, the writ petition is devoid of merits and liable to be dismissed. However, the petitioner is at liberty to file revision before the District Revenue Officer in the manner known to law. If any revision is filed by the petitioner, the revisional authority is directed to consider the revision and after issuing notice to the respondents 3 & 4 herein and pass orders on merits and in accordance with law. It is made clear that the period of pendency of the writ petition may be excluded while calculating the period of limitation in the revision.

4. With the above directions, this writ petition is dismissed. No order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. Revenue Divisional Officer,
Ambattur

2. Tasildhar, Pulliline Village,
Madhavaram, Tiruvallur District.

+1cc to the Government Pleader, S.R.No.48997

W.P.No.22466 of 2012

SPD(CO)
PM/13/10/2021