



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. NO.29161 OF 2015

AND

M.P NO.1 OF 2015

K.Venkateswami

... Petitioner

-Vs-

1. The Collector of Krishnagiri  
Krishnagiri.
2. The Thasildar Denkanikotta  
Hosur Taluk,  
Krishnagiri District.
3. C.Muniraj
4. A.G.Madhukiran

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent herein to cancel the Patta No.1422 for lands in S.No(s).512 & 562 in Kundumaranapalli Village, Denkanikotta Taluk, Krishnagiri District granted to the fourth respondent herein.

For Petitioner : Mr.C.Parthiban  
For Mr.M.V.Krishnan

For Respondents  
For R1 & R2 : Mr.G.Baranidharan  
Government Advocate.

For R3 & R4 : Ms.R.Poornima



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## ORDER

The Writ Petition has been filed to direct the second respondent to cancel the Patta No.1422 for lands in S.No(s).512 & 562 in Kundumaranapalli Village, Denkanikotta Taluk, Krishnagiri District granted to the fourth respondent herein.

2. Heard Mr.C.Parthiban, learned counsel appearing for the petitioner, Mr.G.Baranidharan, learned Government Advocate appearing for the respondents 1 & 2 and Ms.R.Poornima, learned counsel appearing for the respondents 3 & 4.

3. Challenging the patta issued by the second respondent to the fourth respondent herein, in respect of the subject property, the present Writ Petition has been filed. It is seen that there is an appeal remedy available for the petitioner under Section 12 of the Patta Passbook Act, 1983, which reads as follows :-

"12. Appeal. - Any person aggrieved by an order made by the Tahsildar under this Act may, within such period as may be prescribed, appeal to such authority as may be prescribed and the decision of such authority on such appeal shall, subject to the provisions of section 13, be final."

When there is an appeal remedy, this Court is not inclined to entertain this petition and the Writ Petition is devoid of merits and liable to be dismissed. However, the petitioner is at liberty to approach the authority concerned in the manner known to law. The period of pendency of this Writ Petition may be excluded while calculating the period of limitation for the appeal.

4. In the result, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

rts



To

1. The Collector of Krishnagiri  
Krishnagiri.

2. The Thasildar Denkanikotta  
Hosur Taluk,  
Krishnagiri District.

+1cc to Mr.M.V.Krishnan, Advocate, S.R.No.46347

+1cc to the Government Pleader, S.R.No.46162

W.P. No.29161 of 2015  
and  
M.P No.1 of 2015

PA(CO)  
RLP(04/10/2021)