



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.30263 of 2015

P.A.Thanigaivel

... Petitioner

-Vs-

1. The District Collector,
Vellore District.

2. The Tahsildar
Arakkonam Taluk,
Vellore District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent dated 25.03.2015 in M.M.P.2/20579/2014 and quash the same and direct the second respondent to issue patta in favour of the petitioner for the Gramanatham lands in S.F.No.522 in Pallur Village of Arakkonam Taluk of Vellore District.

For Petitioners : Mr.M.Ashwin Kumar
For M/s.Sarvabhauman Associates

For Respondents : Mr.Richardson Wilson
Government Advocate.

ORDER

The Writ Petition has been filed to call for the records of the second respondent dated 25.03.2015 in M.M.P.2/20579/2014 and quash the same and direct the second respondent to issue patta in favour of the petitioner for the Gramanatham lands in S.F.No.522 in Pallur Village of Arakkonam Taluk of Vellore District.

2. Heard Mr.M.Ashwin Kumar, learned counsel appearing for the petitioner, Mr.Richardson Wilson, learned Government Advocate appearing for the respondents.

3. Challenging the order passed by the second respondent dated 25.03.2015 in M.M.P.2/20579/2014, thereby rejecting the request made by the petitioner for issuance of free land patta 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



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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 limitation for the appeal.

4. In the result, the Writ Petition stands dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Vellore District.

2. The Tahsildar
Arakkonam Taluk,
Vellore District.

+1cc to M/s.Sarvabhauman Associates, Advocate SR.No. 40551
+1 cc to Government Pleader Sr.No. 40717

W.P.No.30263 of 2015

AK(CO)
A.SK(20.09.2021)