



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM

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

W.P.No.9923 of 2013
and
MP.Nos.1 to 3 of 2013
and
MP.Nos.2 & 3 of 2014

R.B.Saravanan

... Petitioner

Vs

1. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.
2. The Revenue Divisional Officer,
Ambattur Taluk,
Thiruvallur District.

3.D.Jones

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order dated 04.04.2013 made in Na.Ka.3319/2012/A5 of the second respondent and quash the same as illegal, without jurisdiction, against law and for a consequential direction to the first and second respondents to dismiss the appeal dated 29.10.2012 of the third respondent as unsustainable in the eyes of law.

For Petitioner : No Appearance

For Respondents : Mr.M.R,Gokul Krishnan
R1 & R2 Government Advocate

For R3 : Mr.K.R.Ramesh Kumar



O R D E R

Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order dated 04.04.2013 made in Na.Ka.3319/2012/A5 of the second respondent and quash the same as illegal, without jurisdiction, against law and for a consequential direction to the first and second respondents to dismiss the appeal dated 29.10.2012 of the third respondent as unsustainable in the eyes of law.

2. On perusal of records, the petitioner challenged the order passed by the second respondent thereby cancelling the patta issued in favour of the petitioner on the petition filed by the third respondent under Section 12 of the Tamilnadu Patta Passbook Act. There is revision remedy as against the Order passed by the second respondent herein under Section 13 of the Tamilnadu Patta Passbook Act. When there is specific revision remedy available, this Court cannot entertain the Writ Petition under Article 226 of the Constitution of India except specific conditions.

3. Therefore, the Writ petition is devoid of merits and the same is dismissed. However, the petitioner is at liberty to file revision as contemplated under Section 13 of the Tamil Nadu Patta Passbook Act before the first respondent in the manner known to law, if so advised. The period of pendency of this writ petition may be excluded while filing revision for calculating the limitation. Consequently, connected miscellaneous petitions are closed. No order as to costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

lok/rgi

To

1. The District Revenue Officer,
Thiruvallur District,
Thiruvallur.



2. The Revenue Divisional Officer,
Ambattur Taluk Office,
Thiruvallur District.

WEB COPY

+1cc to M/s.T.V.Vineeth Kumar, Advocate, S.R.No.49550

+1cc to M/s.K.R.Ramesh Kumar, Advocate, S.R.No.49824

W.P.No.9923 of 2013

KSM(CO)
SU(26/10/2021)