



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2021

CORAM :

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P.No.12236 of 2021
and
W.M.P.No.13001 of 2021

P.Devaraj @ Rajendran

... Petitioner

Vs.

1. Inspector General of Registration,
Chennai - 600 028.

2. The District Registrar (Administration)
Arakkonam Registration District,
Arakkonam,
Ranipet District.

3. The Sub-Registrar,
Walaja Taluk,
Ranipet District.

4. P. Sekaran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the entire records in pursuant to the proceedings of the 2nd respondent issued vide Ka.No.3990/A2/2020 dated 19.02.2021 and quash the same.

For Petitioner : Ms.S.Sriranjini

For R1 to R3 : Mr.Sanjeev Kumar
Special Government Pleader

O R D E R

The petitioner appears to be aggrieved by the proceedings of the 2nd respondent, wherein, he has ordered change of entries in the Revenue records on the basis of an illegal transfer of property at the instance of the private respondent. According to the petitioner, the conclusion reached by the 2nd respondent is on erroneous appreciation of both facts and law and in relation to the challenge, number of grounds have been raised by the petitioner in the writ petition.

2. However, this Court finds that, in the impugned order itself, it has been clearly stated that, in case the



petitioner is aggrieved by the order, it is open to him to prefer an appeal to the Appellate Authority provided under the Regulations within 30 days from the date of receipt of the order. This Court also finds that nothing has been disclosed in the affidavit of the petitioner as to why the petitioner has not chosen to avail the effective alternative remedy available in the Statute. When an effective alternative remedy is a part of the Statutory Scheme, the same has to be exhausted before the petitioner chooses to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. Moreover, in a dispute of this nature, it is always proper for the petitioner to approach the Appellate Authority and he alone can be in a better position to adjudicate the appeal both on facts as well as legal position and render a decision. In such circumstances, this Court finds that the present writ petition, without exhausting the appellate remedy, is not maintainable.

3. Therefore, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mkn

To

1. The Inspector General of Registration,
Chennai - 600 028.

2. The District Registrar (Administration)
Arakkonam Registration District,
Arakkonam,
Ranipet District.

3. The Sub-Registrar,
Walaja Taluk,
Ranipet District.

+1 cc to Government Pleader Sr.No. 27474

W.P.No.12236 of 2021

PMK(CO)
B.VC(16.07.2021)