



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.02.2021**

CORAM

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P. (MD) No.1844 of 2021

and

W.M.P. (MD) Nos.1579 & 1580 of 2021

WEB COPY

Mohammed Riyajudeen

... Petitioner

Vs

1.The District Revenue Officer,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Karur,
Karur District.

3.The Tahsildar,
Aravakurichi Taluk,
Karur District.

4.The Executive Officer,
Aravakurichi Town Panchayat,
Aravakurichi,
Karur District.

5.Sumitha

6.Parameshkumar

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 3rd respondent dated 28.12.2020 in Ni.Mu.Na.Ka.A2/3465/2020 and quash the same and consequently issue a direction to the 3rd respondent to restore the patta in favour of the petitioner for the land situated over an extent of 2476 Sq.feet of land situated in Survey No.1293/31 and old Survey No.821/D pa Aravakurichi Village and Taluk, Karur District bearing old Door.Nos.57, 57/1 and 57/2 and new Nos.31, 32 and 33 by considering petitioner representation dated 06.01.2020.

For Petitioner : Mr.M.Boopathi Pandiyan

For R1 to R4 : Mr.C.Ramesh
Special Government Pleader



ORDER

When the matter is taken up for hearing today, Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents 1 to 4 would submit that the petitioner has already approached the Revenue Divisional Officer concerned by way of an appeal, dated 06.01.2021 against the present impugned proceedings. This fact has also not been disputed by the learned counsel for the petitioner, even otherwise this Court is of the view that the order passed by the 3rd respondent is appealable and therefore, this Court finds that this Writ Petition is not maintainable on the ground alone. Further, this Court also finds that the issue involved, which was the subject matter of the impugned proceedings, requires an appreciation on certain factual dispute, which, the appellate authority is competent to decide. Though the learned counsel for the petitioner argued that there is a case for entertaining this writ petition, this Court is not inclined to entertain this writ petition, in view of the effective alternative remedy available under the relevant statute.

2.This Court therefore finds that this Writ Petition is not maintainable and hence, it stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The District Revenue Officer,Karur District,Karur.
- 2.The Revenue Divisional Officer,Karur,Karur District.
- 3.The Tahsildar,Aravakurichi Taluk,Karur District.
- 4.The Executive Officer,Aravakurichi Town Panchayat,
Aravakurichi,Karur District.

+1 CC to M/s.GP (SR-3515[F] dated 05/02/2021)

W.P. (MD)No.1844 of 2021
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(ARK) CO

AP(24/02/2021) 2P 6C