



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8790 of 2021
and W.M.P.(MD).No.6610 of 2021

M/s.Madhuram Properties
Promoters India Limited,
represented through its Chairman,
Mr.Namachivayam,
S/o.Krishnamoorthi,
No.14-A, Abdul Kabar Khan Street,
Chinna Chokkikulam,
Madurai.

.. Petitioner

Vs.

1.The District Revenue Officer,
Ramanathapuram,
Ramanathapuram District.

2.The Authorised Officer (Land Reforms),
and Sub Collector,
Paramakudi,
Ramanathapuram District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, calling for the records relating to impugned order passed by the 1st respondent in Na.Ka.B8/21523/2020, dated 01.04.2021 and impugned order passed by the 2nd respondent vide proceedings Na.Ka.A3/7466/2018, dated 10.02.2019 and quash the same as illegal, improper and unconstitutional.

For Petitioner : Mr.S.Balamurugan

For Respondent : Mr.M.Rajarajan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the first respondent, dated 01.04.2021.

2.In the considered view of this Court, the petitioner has a statutory remedy of filing an appeal under Section 79 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. In view of the same, the petitioner has to necessarily avail this



remedy and this writ petition cannot be entertained when there is an efficacious and alternative remedy. The petitioner is given liberty to exercise their right of statutory appeal and redress its grievance.

3. Accordingly, this writ petition is closed. No costs. Registry is directed to return back the original impugned order, dated 01.04.2021, to the learned counsel for the petitioner in order to enable the petitioner to workout their remedy by filing an appeal. A copy of the same shall be retained in the bundle.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Revenue Officer,
Ramanathapuram, Ramanathapuram District.
2. The Authorised Officer (Land Reforms),
and Sub Collector,
Paramakudi, Ramanathapuram District.

Copy to

The Section Officer, E.R. Section,
Madurai Bench of Madras High Court, Madurai.

(to return back the original impugned order, dated 01.04.2021, to the counsel for the petitioner in order to enable the petitioner to workout their remedy by filing an appeal)

(Copy of the impugned order shall be retained in the bundle)

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-18030[F] dated 29/04/2021)

+1 CC to M/s.SPL GP (SR-18304[F] dated 30/04/2021)

W.P. (MD) .No.8790 of 2021

29.04.2021

ES (CO)

TR(16.06.2021) 2P 6C