



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.02.2021**

CORAM

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

W.P(MD)No.12789 of 2020

R.Sekar

.. Petitioner

Vs

1.The Tahsildar,
Madurai South Taluk,
Madurai.

2.R.Venkadammal

3.M.S.Konammal

4.N.Meenammal

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 18.11.2019 on the basis of the memo of the 1st respondent dated 20.11.2019 vide Na.Ka.No.6560/2019/Aa1 and to cancel the patta standing in the name of the respondents 2 to 4 and to issue patta in favour of the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner	:	Mr.Babu Rajendran
For Respondent	:	Mr.M.Karuppasamy,
No.1		Government Advocate
For Respondents	:	Mr.R.Suriyanarayanan
No.2 to 4		

ORDER

When the matter is taken up for hearing the learned Government Advocate appearing for the 1st respondent has raised objection in regard to the maintainability of the writ petition, on the ground that the appropriate remedy for the petitioner is to approach the Revenue Divisional Officer concerned and seek cancellation of patta granted by the Tahsildar, in favour of the private respondents herein. Instead of approaching the appellate authority, the petitioner has chosen to approach this Court by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

2.This Court is in complete agreement with the submission made by the learned Government Advocate that in regard to the grievances of the petitioner, he ought to approach the appellate authority with



representation and seek his intervention, in case the patta has been wrongly issued in favour of the private respondents herein.

3. When the provisions in the Patta Pass Book Act provide for effective alternative appeal and revisional remedies, without exhausting such remedies, it is not open to the petitioner to rush to this Court and invoke its extraordinary jurisdiction. Therefore, granting liberty to the petitioner to approach the authority concerned, this writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

dsk

To

The Thasildar,
Madurai South Taluk,
Madurai.

+1 CC to Mr. BABU. RAJENDRAN, Advocate (SR-5862[F] dated 18/02/2021)

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VB (01.03.2021) 2P 3C