



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.01.2021

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THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.18338 of 2020

A.Alexsander

.. Petitioner

vs

1.The Tahsildar,
Andipatti Taluk,
Theni District.

2.Velanmathari

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to cancel the patta No.1532 in the name of Velanmathari in Survey No.1297 and Patta may be allotted to the petitioner name for an extent of 4½ Acres Promboke Agricultural land in Mottanoothu Village G.Usilampatti, Andipatti Taluk, Theni District and application to the respondent dated on 03.11.2020.

For Petitioner	:	No Appearance
For R1	:	Mr.M.Karuppasamy Government Advocate
For R2	:	No appearance

ORDER

When the matter was taken up for hearing on the last two occasions, there was no appearance on behalf of the petitioner. However, when the matter was taken up for hearing today, the learned Government Advocate appearing for the 1st respondent would submit that the prayer as framed is not maintainable for the simple reason that as against the order passed by the 1st respondent, namely, the Tahsildar, Andipatti Taluk, Theni District, any cancellation sought is to lie before the appellate authority, namely, the Revenue Divisional Officer, under Section 12 of the Tamil Nadu Patta Passbook Act, 1983. The Revenue Divisional Authority concerned is not a party in this writ petition and as such, the writ petition is not maintainable and the same is liable to dismissed on the ground alone.

2.In consideration of the submission of the learned Government Advocate appearing for the 1st respondent and in terms of the relevant procedures provided under the Tamil Nadu Patta Passbook Act, 1983, this Court finds that the writ petition is not



maintainable and therefore, it stands dismissed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

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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

The Tahsildar,
Andipatti Taluk,
Theni District.

+1 CC to M/s.GP (SR-2043[F],SR-1865[F] dated 25/01/2021)

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22.01.2021

MJ(CO)
KB(05.02.2021) 2P 3C