



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2021

CORAM :

WEB COPY

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY**

W.P. (MD) No.19136 of 2021

and

W.M.P (MD)No.15900 of 2021

Marumalarchi Mantram Sokkamkiduyiruppu,
represented by its President,
S.Antony Lasser.

.. Petitioner

Vs

The State, represented by

1.The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat,
St.George Fort,
Chennai-600 009.

2.The District Collector,
Tuticorin District,
Tuticorin.

3.The Revenue Divisional officer,
Tiruchendur RDO office,
Tiruchendur,
Tuticorin District.

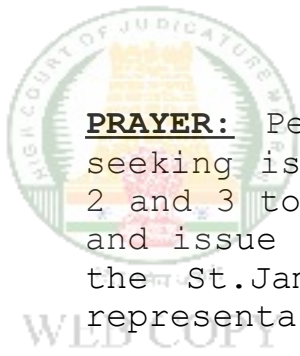
4.The Tahsildar,
Sattankulam Taluk,
Sattankulam,
Tuticorin District.

5.Muthu

6.S.Manickam

7.R.Selvaraj

.. Respondents



PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 2 and 3 to cancel the patta in S.No.64/1B of Kommadikottai Village and issue new patta in the name of old Cemetery land belonging to the St.James and Stainlas Church in terms of the petitioners representation, dated 23.2.2021.

For Petitioner : Mr.S.Selvarajan
For Respondents : Mr.P.Thilakkumar,
Govt.Pleader

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petitioner is aggrieved by the patta granted in favour of the private respondents. The petitioner complains of the petitioner's representations not being taken seriously by the official respondents.

2.It is submitted on behalf of respondent Nos.1 to 4 by Mr.P.Thilak Kumar, learned Government Pleader, that the procedure under the Tamil Nadu Patta Pass Book Act, 1983 provides due opportunity to a person in the position of the petitioner to prefer an appeal. If the petitioner has complained to the Tahsildar and appropriate action has not been taken, the remedy of the petitioner lies by invoking Section 12 of the Act and approaching the third respondent Revenue Divisional Officer.

3.Since there is an efficacious alternative remedy available to the petitioner, W.P.(MD)No.19136 of 2021 is not entertained and the petitioner is left free to pursue such course of action in accordance with law.

There will be no order as to costs. Consequently, W.M.P.(MD) No.15900 of 2021 is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR/RM

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 petitioner concerned.

<https://hccs.courts.gov.in/cs/yes>



To

1.The Secretary to Government of Tamil Nadu,
Home Department,
Secretariat,
St.George Fort,
Chennai-600 009.

2.The District Collector,
Tuticorin District,
Tuticorin.

3.The Revenue Divisional officer,
Tiruchendur RDO office,
Tiruchendur,
Tuticorin District.

4.The Tahsildar,
Sattankulam Taluk,
Sattankulam,
Tuticorin District.

+1 CC to M/s.SPL.GP (SR-32820[F] dated 27/10/2021)

+1 CC to M/s.S. SELVARAJAN, Advocate (SR-32934[F] dated
27/10/2021)

W.P. (MD) No.19136 of 2021
26.10.2021

RK/JC (08/11/2021) 3P 7C