



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.5157 of 2022

And

W.M.P.Nos.5259 and 5260 of 2022

Dhakshinamoorthi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Ranipet District,
Ranipet.

2.The District Revenue Officer,
Collectorate,
Ranipet District,
Ranipet.

3.The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

4.The Thasildhar,
Arakkonam Taluk,
Arakkonam,
Ranipet District.

5.The Village Administrative Officer,
Attupakkam Village,
Nemeli Taluk,
Ranipet District.

6.Rajesh

7.Subramani

... Respondents



Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the entire records pertains to order of third respondent dated 28.08.2021, made in Na.Ka.Aa 2/1487/2021 and to quash the same as illegal and further direct the third respondent to conduct enquiry and to pass order on merits with regard to issuance of patta to the seventh respondent in New S.F.No.248/24 Old S.F.No.226/Part to an extent of 232 sq.meter in Attupakkam Village Account, Arakkonam Taluk, Ranipet District by hearing the objection of petitioner.

For Petitioner : Mr.A.Gouthaman

For Respondents : Mr.M.Murali
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the entire records pertaining to the order of the third respondent dated 28.08.2021, made in Na.Ka.Aa 2/1487/2021 and to quash the same as illegal and to further direct the third respondent to conduct enquiry and to pass orders on merits with regard to issuance of patta to the seventh respondent in New S.F.No.248/24 Old S.F.No.226/Part to an extent of 232 sq.meter in Attupakkam Village Account, Arakkonam Taluk, Ranipet District by hearing the objection of petitioner.

2.The case of the petitioner is that the subject property belongs to the petitioner, however, the seventh respondent obtained patta in favour of him by producing forged document. In this regard, the petitioner made representation to the respondents and the third respondent passed the impugned order stating that since a suit in O.S.No.160 of 2021 is pending on the file of the Sub Court, Arakkonam, in respect of the subject property, the grievance of the petitioner cannot be considered. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that the sixth respondent/ son of the seventh respondent filed suit in O.S.No.160 of 2021 on the file of the Sub Court, Arakkonam, as against the petitioner. The grievance of the petitioner is that the private respondents obtained patta behind



his back without any notice. Hence, he made representation seeking cancellation of patta issued in favour of the private respondents.

4.The learned Government Advocate submitted that there is appeal remedy available to the petitioner before the second respondent and without exhausting the appeal remedy, the petitioner has filed this writ petition, which is un-sustainable one.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Admittedly, the suit filed by the sixth respondent, as against the petitioner, in respect of the subject property is pending in O.S.No.160 of 2021 on the file of the Sub Court, Arakkonam. Hence, the petitioner cannot agitate the very same issue before the Revenue Officials. Hence, the prayer sought for in this writ petition cannot be considered.

7.The writ petition is accordingly dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law after disposal of the suit or before appellate authority. No costs. Consequently, the connected miscellaneous petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Sub Court,
Arakkonam.

2.The District Collector,
Collectorate,
Ranipet District,
Ranipet.



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3.The District Revenue Officer,
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Ranipet District,
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Arakkonam,
Ranipet District.

5.The Thasildhar,
Arakkonam Taluk,
Arakkonam,
Ranipet District.

6.The Village Administrative Officer,
Attupakkam Village,
Nemeli Taluk,
Ranipet District.

+1cc to Mr.A.Gouthaman, Advocate Sr.15629
+1cc to the Government Pleader Sr.16247

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mt[co]
srg 05/04/2022