



WEB COPY



WP.No.28166 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

WP.No.28166 of 2022
and W.M.P.No.27459 of 2022

1.T.L.Kasthuri
2.T.L.Dhanasekaran
3.T.L.Shanmughasundaram
4.Nalani
5.T.L.Sarala

.. Petitioners

Versus

1.The Collector
Thiruvallur District
Thiruvallur

2. The Tahsildar
Thiruvallur Taluk
Thiruvallur

3.The Village Administrative Officer
Thotikalai Village, Thiruvallur District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order dated 05.07.2022 passed by the 2nd respondent to issue patta for lands at Survey No.249/23, Thottikalai Village, Thiruvallur District on the names of petitioners jointly.

For Petitioners : Mr.C.Umashankar
For Respondents : Mr.U.Baranidaran
Additional Government Pleader



WP.No.28166 of 2022

ORDER

This writ petition is filed seeking for challenging the order dated 05.07.2022 passed by the 2nd respondent to issue patta for lands at Survey No.249/23, Thottikalai Village, Thiruvallur District on the names of petitioners jointly.

2. The case of the petitioner is that the petitioners are the owners of the Grama Natham land land in Old S.No.224/1A, New S.No.249/23 situated in Thottikalai Village, Thiruvallur District to an extent of 34 cents. They applied for patta on 09.05.2016 as the same was not considered, they filed a writ petition before this Court in W.P.No.19769 of 2021 and the same was disposed of on 08.11.2021 for consideration of the representation of the petitioners. It is the grievance of the petitioner that the second respondent without properly conducting enquiry has passed the impugned order. Challenging the same, this writ petition.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the official respondents and perused the materials available on record.

4. The petitioner submitted an application with a request for issuance of



WP.No.28166 of 2022

patta. Subsequent to which, this impugned order. This Court is of the view as against the order of the second respondent respondent, there is an effective remedy before jurisdictional Revenue Divisional Officer, without exhausting such remedy available under the Tamil Nadu Patta Passbook Act, 1983. The petitioner has come up with this writ petition which is not maintainable. However, liberty is granted to the petitioner to file an appeal, if any, before the jurisdictional Revenue Divisional Officer in terms of Section 12 of the Tamil Nadu Patta Passbook Act, 1983 within a period of two weeks from the date of receipt of a copy of this order and the jurisdictional Revenue Divisional Officer shall take up such appeal and pass appropriate order(s) on merits and in accordance with law by following due procedure of law as early as possible.

5. Accordingly, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petition stands closed. Registry is directed to return the original papers to the petitioner enabling to file appeal, if any.

26.10.2022

dhk

Index:Yes/No

M. DHANDAPANI, J.



WEB COPY



WP.No.28166 of 2022

dhk

To

1.The Collector
Thiruvallur District
Thiruvallur

2. The Tahsildar
Thiruvallur Taluk
Thiruvallur

W.P.No.28166 of 2022

26.10.2022