



W.P.No.32434 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.32434 of 2022

And

W.M.P.Nos.31846, 31848 and 31849 of 2022

G.Duraisami

... Petitioner

Vs.

1.The District Collector,
Salem District,
Salem.

2.The Revenue District Officer,
Vazhapadi Revenue,
Salem.

3.The Tahsildar,
Vazhapadi Taluk,
Vazhapadi,
Salem.

4.The Deputy Superintendent of Police,
Vazhapadi Circle,
Salem District.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent vide Na.Ka.No.2303/2022/B1 dated 18.08.2022 and



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quash the same and consequently to direct the third respondent to issue patta in favour of Arulmighu Sri Selliamman and Karuppanar Koil with regard to S.No.115/19 measuring to an extent of 25 cents at Pudupalayam Village, Valappadi, Salem District.

For Petitioner : Mr.M.Selvam
For Respondent : Mr.T.K.Saravanan
Government Advocate (Taxes)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the third respondent vide Na.Ka.No.2303/2022/B1 dated 18.08.2022 and quash the same and consequently to direct the third respondent to issue patta in favour of Arulmighu Sri Selliamman and Karuppanar Koil with regard to S.No.115/19 measuring to an extent of 25 cents at Pudupalayam Village, Valappadi, Salem District.

2.The case of the petitioner is that the petitioner made representation to the respondents seeking issuance of patta for the subject property, in favour of Arulmighu Sri Selliamman and Karuppanar Koil and since the same was not considered, filed



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W.P.No.19824 of 2022 before this Court and pursuant to the order of this Court dated 04.08.2022 made in the said writ petition, the impugned order was passed by the third respondent.

3.The learned counsel appearing for the petitioner submitted that as against the impugned order, there is effective appeal remedy available to the petitioner before the second respondent. Hence, this Court, without going into the merits of the case, may grant liberty to the petitioner to exhaust the appeal remedy before the second respondent and issue direction to the second respondent to consider the same and pass appropriate orders within a reasonable time frame.

4.Considering the limited request now made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, permits the petitioner to file appeal before the second respondent, within a period of two weeks from the date of receipt of a copy of this order. If any such appeal is filed by the petitioner, the second respondent shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks thereafter.



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5.The writ petition is accordingly disposed of. No costs.

Consequently, the connected miscellaneous petitions are closed.

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

- 1.The District Collector,
Salem District,
Salem.
- 2.The Revenue District Officer,
Vazhapadi Revenue,
Salem.
- 3.The Tahsildar,
Vazhapadi Taluk,
Vazhapadi,
Salem.
- 4.The Deputy Superintendent of Police,
Vazhapadi Circle,
Salem District.



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