



W.P.No.2152 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.2152 of 2023
and W.M.P.No.2235 of 2023

A.Ravikumar

.... Petitioner

-Vs-

The Thasildar
Office of the Thasildar
Rasipuram Taluk
Namakkal District.

.... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order No.2022/0103/09/309569 dated 13.01.2023 of the respondent and to quash the same, consequently direct the respondent to issue patta in the name of the petitioner within a time to be stipulated by this Court.

For Petitioner : Mr.G.Shanmugam

For Respondent : Mr.R.P.Muruganraja
Government Advocate

ORDER



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The prayer sought for herein is for a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order No.2022/0103/09/309569 dated 13.01.2023 of the respondent and to quash the same, consequently direct the respondent to issue patta in the name of the petitioner within a time to be stipulated by this Court.

2. The petitioner has challenged the order passed by the respondent Thasildar dated 13.01.2023, rejecting the request of the petitioner to issue patta in the name of the petitioner.

3. Heard Mr.G.Shanmugam learned counsel for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate for the respondent.

4. The impugned order has been passed by the revenue Tahsildar within the meaning of the provisions of the Patta Passbook Act, as against which appeal can be filed by the petitioner if he is aggrieved over the said order, to the appellate authority viz., Revenue Divisional Officer concerned. Without exhausting the appeal remedy and subsequent revisional remedy before the District Revenue Officer concerned, since the petitioner has approached this Court, the writ petition cannot be entertained. On that ground, the writ petition is dismissed, however with a liberty to the petitioner to file an appeal against the



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impugned order to the Revenue Divisional Officer concerned within a period of two weeks from the date of receipt of a copy of this order, and if such appeal is filed, the same shall be entertained by the Revenue Divisional Officer concerned and orders shall be passed on merits and in accordance with law. Registry is directed to return back the impugned order, if it is original, after retaining a photocopy of the same and getting acknowledgment from the learned counsel on record. No costs. Consequently, connected miscellaneous petition is closed.

30.01.2023

Index : Yes/No
Neutral Citation : Yes/No
Speaking Order / Non-speaking order
KST
To

The Thasildar
Office of the Thasildar
Rasipuram Taluk
Namakkal District.



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R. SURESH KUMAR, J.

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