



W.P.No.5867 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.5867 of 2023

R.Venkathathri

.. Petitioner

vs

1. The District Collector
O/o the District Collector
Vellore District.

2. The District Revenue Officer
O/o The District Revenue Officer
Vellore District.

3. The Tahsildar
Tahsildar Office
Gudiyatham, Vellore District.

4. A.Priyanka .. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the impugned order passed by the third respondent in O.Mu.P1/3278/2022 dated 21.11.2022 and quash the same and consequently direct the second respondent to revoke the patta illegally granted to the fourth respondent for the poromboku land in Survey No.197/11 in Billukuttai, Jittapalli Village, Gudiyatham Taluk, Vellore District.

For Petitioner : Mr.S.Santhan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader
for respondents 1 to 3

ORDER



W.P.No.5867 of 2023

The prayer sought for herein is for a Writ of Certiorarified Mandamus, calling for the impugned order passed by the third respondent in O.Mu.P1/3278/2022 dated 21.11.2022 and quash the same and consequently direct the second respondent to revoke the patta, illegally granted to the fourth respondent, for the poromboku land in Survey No.197/11 in Billukuttai, Jittapalli Village, Gudiyatham Taluk, Vellore District.

2. The order dated 21.11.2022, passed by the Tahsildar, is impugned in this writ petition.

3. Heard Mr.S.Santhan, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the official respondents. In view of the order going to be passed in this writ petition, notice to the fourth respondent is hereby dispensed with.

4. Learned Special Government Pleader appearing for the official respondents pointed out that, as against the order impugned herein, passed by the third respondent / Tahsildar, appeal would lie before the Revenue Divisional Officer, before whom, the petitioner can very well file an appeal and if such an



W.P.No.5867 of 2023

appeal is filed, the same would be considered and decided on merits by the Revenue Divisional Officer concerned, he contended.

5. I have considered the said submissions made by the learned Special Government Pleader appearing for the official respondents, who has rightly pointed out that an appeal statutorily can be preferred against any order passed by the Tahsildar, where, the appeal would lie before the Revenue Divisional Officer.

6. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders:

(i) That it is open to the petitioner to file an appeal against the impugned order passed by the Tahsildar dated 21.11.2022 before the Revenue Divisional Officer concerned viz., Revenue Divisional Officer, Vellore within a period of two weeks from the date of receipt of a copy of this order;

(ii) If any such appeal is filed, as indicated above, by the petitioner, the same shall be entertained and shall be considered and decided, on merits, by the Revenue Divisional



W.P.No.5867 of 2023

WEB COPY

Officer concerned, after giving notice to both the petitioner as well as the fourth respondent within a period of eight weeks thereafter.

7. With these directions, the writ petition is disposed of. There will be no order as to costs.

Index: Yes/No
Neutral Citation :Yes/No
drm

28.02.2023

To

1. The District Collector
O/o the District Collector
Vellore District.
2. The District Revenue Officer
O/o The District Revenue Officer
Vellore District.
3. The Tahsildar
Tahsildar Office
Gudiyatham, Vellore District.



WEB COPY



W.P.No.5867 of 2023

R. SURESH KUMAR, J.

(drm)

W.P.No.5867 of 2023

28.02.2023