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W.P.No.8418 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.8418 of 2023

Sudha

... Petitioner

Vs.

1.The District Collector,
Salem District,
Salem.

2.The Tahsildar,
Mettur Taluk Office,
Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the rejection order passed by the 2nd respondent in Na.Ka.No.94/2023/B3 dated 08.02.2023, quash the same and direct the respondents to issue House Site Patta to the petitioner for the land comprised in S.No.392/10, Poyar Street, Kolathur Village, Mettur Taluk, Salem District to the extent of 1 ½ cents.

For Petitioner : Mr.V. Elangovan

For Respondents : Mr.R.P. Murugan Raja,
Government Advocate



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ORDER

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Mr.R.P. Murugan Raja, learned Government Advocate, takes notice for the respondents. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. As against the order of cancellation of patta, Section 12 of the Tamil Nadu Patta Passbook Act, 1983, provides for an appeal to the Appellate Authority.

3. The grounds raised in the present Writ Petition questions the reasoning given by the Tahsildar, while cancelling the patta. As such, this Court would not be justified in entertaining the present Writ Petition, without the petitioner exhausting the alternate remedy.

4. In this background, the petitioner is granted liberty to file an appeal before the Appellate Authority, within a period of thirty (30) days from the date of receipt of a copy of this order.



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5. With the above direction, the Writ Petition stands closed. No costs.

6. The Registry is directed to return the original impugned order.

17.03.2023

Speaking/Non-speaking Order
Internet: Yes/No
Index: Yes/No
Neutral Citation: Yes/No

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To

1.The District Collector,
Salem District,
Salem.

2.The Tahsildar,
Mettur Taluk Office,
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M.S.RAMESH, J.

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