



WEB COPY

W.P. No.33705 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.33705 of 2022

Balamuthuvel

... Petitioner

Vs.

1. The Union of India

Rep. by its Special Secretary

Department of Revenue and Disaster Management

Puducherry

2. The Tahsildar (Revenue)

Office of the Deputy Collector (Revenue) North

Saram

Puducherry

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 22.11.2022 vide No.6886/DC(R)N/REV/C2/GLR/2022/3184 issued by the second respondent and quash the same and further direct the second respondent to raise attachment and to the provide GLR pertaining to the property situated at Puducherry Registration District, Puducherry Revenue Village, Village No.40, House bearing door No.127, Calve Subbaraya Chetty Street, (Vysial Street) to an extent of 3200 Sq.ft. Comprised in T.S.No.13, Ward-C and Block No.11.

For Petitioner : Mr.J.Rajmohan

For Respondents : Mr.Ramaswamy Meyyappan
Government Advocate (Pondicherry)

ORDER



This Writ Petition is filed seeking to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order dated 22.11.2022 vide No.6886/ DC(R)N/REV/C2/GLR/2022/3184, issued by the second respondent and quash the same and further direct the second respondent to raise attachment and to the provide GLR pertaining to the property, situated at Puducherry Registration District, Puducherry Revenue Village, Village No.40, House bearing door No.127, Calve Subbaraya Chetty Street, (Vysial Street) to an extent of 3200 Sq.ft. Comprised in T.S.No.13, Ward-C and Block No.11.

2. Heard and perused the materials available on record including the counter filed by the 2nd respondent in which, it is stated as follows;

10. I submit that we have received the representation dated 14.10.2022 wherein he had sought to raise the attachment and to provide guideline value, wherein, we have passed an order on 22.11.2022 which is under challenge now. The order clearly states as follows;

“In this regard, you are hereby informed that a release order may be



obtained from the Hon'ble Principal Sessions Judge, Puducherry for release of the said property viz. Ward-C, Block-11, T.S.No.13 of 40-Puducherry Revenue Village from attachment so that the GLR Value may be fixed.”

11. I submit that the petitioner is having an alternative remedy to go before the civil court where the property is attached and the present Writ petition is misconceived and is liable to be dismissed.

3. As stated above, since the petitioner has got an alternative remedy, this Writ Petition is dismissed. The petitioner is at liberty to work out his remedy in the manner known to law before the Chief Justice, Pondicherry. There shall be no order as to costs.

08.12.2023

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Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No



To

1. The Special Secretary
Union of India
Department of Revenue and Disaster Management
Puducherry
2. The Tahsildar (Revenue)
Office of the Deputy Collector (Revenue) North
Saram
Puducherry



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P.VELMURUGAN. J.

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