



W.P(MD)No.19470 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19470 of 2023

John.P

... Petitioner

Vs

1.The District Collector,
Dindigul District,
Dindigul.

2.The District Revenue Officer,
Dindigul District,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul District,
Dindigul.

4.The Tahsildar,
Aathur Taluk,
Dindigul District.

5.Ayyanar @ Atharmalai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, Writ of Mandamus directing the third respondent to conduct an enquiry with



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regard to the cancellation of patta obtained by the fifth respondent for the properties situated in S.No.49 (patta No.481) of Narasingapuram Village, Aathur Taluk, Dindigul District and in S.No. 313/12, 313/18, 326/3, 333/2, 338/11, 224/3, (Patta No.328) of Palayamkottai Village, Aathur Taluk, Dindigul District and to restore the same into the name of the petitioners grandmother namely Mookammal, on the basis of the petitioners representation dated 04.07.2022.

For Petitioner : Mr.M.Sankar
For R1 to R4 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The petitioner with a grievance that the Tahsildar has issued a patta in favour of the fifth respondent has preferred a complaint before the District Revenue Officer, Dindigul on 04.07.2023 and has approached this Court for a Mandamus, to direct the first respondent to cancel the patta issued by the Tahsildar.

2.Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents 1 to 4 submits that if the petitioner is having any grievance that the Tahsildar has issued the patta wrongly to the fifth respondent, the petitioner is having an



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effective remedy before the Revenue Divisional Officer under the Patta Pass Book Act. However, without invoking the appeal remedy, the petitioner has preferred a representation before the District Revenue Officer and has approached this Court.

3.Considering the submission made by the learned Additional Government Pleader that the petitioner is having an appeal remedy before the Revenue Divisional Officer under the Tamil Nadu Patta Pass Book Act,1983, this writ petition is disposed of with a liberty to the petitioner to submit an appeal before the Revenue Divisional Officer, Dindigul within a period of two weeks, as against the order passed by the Tahsildar. On such filing of an appeal by the petitioner, the same shall be considered and disposed of within a period of four weeks from the date of an appeal, after providing an opportunity to the fifth respondent. No costs.

10.08.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



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B.PUGALENDHI, J.

VTN

Order made in
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