



WP(MD)No.21096 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.21096 of 2023
and
WMP(MD)No.17500 of 2023

T.Balan

.. Petitioner

v.

1.The Revenue Divisional Officer,
Aruppukottai Taluk Office,
Aruppukottai,
Virudhunagar District.

2.The Tahsildar,
Tiruchuli Taluk Office,
Tiruchuli,
Virudhunagar District.

3.V.Balamurali

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records of the first respondent in Na.Ka.A3/3835/2023 dated 04.08.2023 and quash the same.



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For Petitioner : Mr.R.Karuppiah

For Respondents : Mr.P.T.Thiraviam,
Government Advocate
for R.1, R.2

ORDER

This writ petition is filed by the petitioner challenging the notice issued by the first respondent / Revenue Divisional Officer on the application filed by the third respondent under the Patta Passbook Act.

2.The third respondent has preferred an appeal before the Revenue Divisional Officer as against the patta, which has been issued by the Tahsildar in favour of the petitioner. The Revenue Divisional Officer has issued notice to the petitioner calling upon him for enquiry on 31.08.2023 to offer his explanation, if any.

3.Learned Counsel for the petitioner contended that if at all the third respondent is having any grievance, he ought to have preferred the application only before the Tahsildar and not before the Revenue Divisional Officer.



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4.This Court is not inclined to accede the submission made by the petitioner's Counsel. The remedy available to a party as against the issuance of patta by the Tahsildar is by way of an appeal before the Revenue Divisional Officer. Therefore, this writ petition is dismissed. Liberty is granted to the petitioner to raise all the grounds raised in this petition before the Revenue Divisional Officer during the course of enquiry.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
Internet : Yes
gk

30.08.2023

To

1.The Revenue Divisional Officer,
Aruppukottai Taluk Office,
Aruppukottai,
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B.PUGALENDHI, J.

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2.The Tahsildar,
Tiruchuli Taluk Office,
Tiruchuli,
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