



WP(MD)No.7547 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.7547 of 2017

A.Chelladurai

... Petitioner

v.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Alangulam Taluk,
Tirunelveli District.

3.Rajendran

4.Muthuraj

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the second respondent to remove the names of respondents 3 & 4 in patta no.1036 and issue patta in favour of the petitioner, in the light of the petitioner's representation dated 14.11.2016.



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For Petitioner : Mr.S.R.A.Ramachandhran

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

ORDER

The relief sought for in this writ petition is for a direction to the second respondent / Tahsildar to delete the names of respondents 3 & 4 from patta no.1036 and to issue a fresh patta in favour of the petitioner in respect of the property in S.No.414/3 to an extent of 0.43.0 Hectares, Andipatti Village, Karumanur, Alangulam Taluk, Tirunelveli District.

2.This Court is of the view that the petitioner can work out his remedy by filing an application before the Revenue Divisional Officer under the Patta Passbook Rules. Even then, if there is any rival claim on the property, the revenue officials are not competent to take any decision and the remedy available to the petitioner is before the competent civil Court.



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3. In view of the above, liberty is granted to the petitioner to file an application before the Revenue Divisional Officer, Tirunelveli, within a period of two weeks from the date of receipt of a copy of this order, if so advised. If any such application is filed, the same shall be considered by the Revenue Divisional Officer, as per the Patta Passbook Rules and appropriate orders shall be passed, after affording due opportunity of hearing to the interested parties, within a further period of six months therefrom.

Accordingly, this writ petition stands disposed of. No costs.

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

07.06.2023

Note:

Mark a copy of this order to
The Revenue Divisional Officer, Tirunelveli.



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B.PUGALENDHI, J.

gk

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Tahsildar,
Alangulam Taluk,
Tirunelveli District.

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