



WEB COPY

W.P. No.1887 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.1887 of 2024 and
W.M.P. Nos.1968 and 1971 of 2024

C. Thambidurai

... Petitioner

Vs.

1. The State of Tamilnadu
Rep. by Secretary
Fort St. George,
Chennai - 600 001
2. The Collector
Tirupattur District
3. The Revenue Divisional Officer
Tirupattur Taluk
Tirupattur District
4. The Tahsildar
Natrampalli, Tirupattur District
5. The Zonal Deputy Tahsildar
Natrampalli, Tirupattur District
6. The Village Administrative Officer
Pachur Village, Pachur
Natrampalli Taluk
Tirupattur District
7. S.Arulkumar



8. Subramani

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus by calling for the records pertaining to the order dated 28.07.2022 bearing number Na.Ka.A4/2944/2022 passed by the 3rd respondent and quash the same with further direction to 3rd respondent to restore the Thoraiya Patta bearing No.592 issued under Natham Land Tax Scheme, to the petitioner herein pertaining to the property bearing S.No.681/16, located at No.22, Pachur Village, Tirupattur Taluk, Tirupattur District.

For Petitioner : Mr.S.Makesh

For R1 to R6 : Mr.R.Vigneshwaran
Government Advocate

ORDER

This Writ Petition is filed seeking a Writ of Certiorarified Mandamus by calling for the records pertaining to the order dated 28.07.2022 bearing number Na.Ka.A4/2944/2022 passed by the 3rd respondent and quash the same with further direction to 3rd respondent to restore the Thoraiya Patta bearing No.592 issued under Natham Land Tax Scheme, to the petitioner herein pertaining to the property bearing S.No.681/16, located at No.22, Pachur Village, Tirupattur Taluk, Tirupattur District.

2. The learned counsel for the petitioner submitted that a copy of the impugned order was not served on the petitioner. Even the order itself would



show that it was sent in the name of deceased person, which is against law.

Further, without giving opportunity to the petitioner, the impugned order has been passed by cancelling the Patta. Therefore, the same is liable to the quashed.

3. Mr.R.Vigneshwaran, learned Government Advocate takes notice for the respondents 1 to 6. Since no adverse order is to be passed against the respondents 7 and 8, notice to the respondents 7 and 8 is dispensed with.

4. For reconciliation of Patta, the competent authority is the Tahsildar/Revenue Divisional Officer. Now, the third respondent has passed the impugned order, against which, the petitioner has got an appellate remedy before the District Revenue Officer. Since the petitioner has got an efficacious alternative remedy before the District Revenue Officer, the petitioner is directed to approach the District Revenue Officer and work out his remedy in the manner known to law.

5. Further, a perusal of the impugned order shows that summons were sent to the petitioner and opportunity was also given to the petitioner. However, the order copy was not marked to the petitioner. Since it is stated by the petitioner that till now he has not received the copy of the order, the third respondent is directed to serve a copy of the impugned order on the petitioner.

6. With the above directions, this Writ Petition is disposed of at the



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admission stage itself. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



To

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P.VELMURUGAN. J.

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