



W.P. No.3304 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.3304 of 2024

M. Parvathy

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Chennai.

2.The Revenue Divisional Officer,
Perambur Taluk,
Chennai District.

3.The Tahsildhar,
Perambur Taluk Office,
Perambur, Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the 3rd respondent in Na.Ka.No.A1/982/2023 dated 19.05.2023 and quash the same and direct the 3rd respondent herein to issue Patta in favour of the petitioners land to the “Grama Naththam” land situated in S.No.141/3, at No.5, Palpannai Salai (Vedantha Murugappa Naicken Street) Parvathi Nagar, Selavoil, Chennai – 600 051 to an extent of 1194 Sq.ft as per the petitioner's representation dated 03.04.2023.

For Petitioner : Ms. M. Prabhavathi

For Respondents : Mr. T. Arunkumar,
Additional Government Pleader.



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ORDER

This Writ Petition is filed seeking to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the 3rd respondent in Na.Ka.No.A1/982/2023 dated 19.05.2023 and quash the same and direct the 3rd respondent herein to issue Patta in favour of the petitioners land to the “Grama Naththam” land situated in S.No.141/3, at No.5, Palpannai Salai (Vedantha Murugappa Naicken Street) Parvathi Nagar, Selavoil, Chennai – 600 051 to an extent of 1194 Sq.ft as per the petitioner's representation dated 03.04.2023.

2. The contention of the petitioner is that he purchased the subject property as vacant land (Grama Natham Land) through registered sale deed bearing Document No.3198/2004 dated 14.04.2004 for valid consideration. Thereafter, he constructed a house over the vacant land in the year 2010 and he has been in possession and enjoyment of the property and that he has been paying all the taxes viz, property tax, metro water sewerage board tax. The electricity connection also stands in the name of the petitioner. The petitioner had approached the 3rd respondent on several



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occasions and requested to issue Patta to the said property. But there was no response. On 03.04.2023, the petitioner made a representation for issuance of Patta. Subsequently, vide impugned order dated 19.05.2023, the 3rd respondent rejected the claim of the petitioner stating that no Government Order was received from the Government. Hence, the present Writ Petition is filed before this Court.

3. Heard and perused the materials available on record.

4. The contention of the petitioner is that no notice was issued to him and no opportunity was given to him before passing of the impugned order. If at all the petitioner is aggrieved with the order passed by the 3rd respondent, he should have approached the 2nd respondent by way of appeal. Instead of filing appeal, the petitioner has filed the present Writ Petition. Since there is an alternative efficacious remedy available to the petitioner before the 2nd respondent under the Tamil Nadu Patta Pass Book Act, the petitioner shall work out his remedy before the 2nd respondent in the manner known to law.



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5. Accordingly, this Writ Petition is disposed of at the admission stage itself. No costs.

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Index : Yes / No

Neutral Citation Case : Yes/No

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P.VELMURUGAN. J.

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