



W.P.No.6079 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.6079 of 2024

Mohammed Rafi

... Petitioner

Vs.

1. The District Collector,
District Collectorate,
Jaya Nagar,
Tiruvallur District.

2. The Tahsildar,
Taluk Office,
NGO Nagar Extension,
Ponneri,
Tiruvallur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent vide his proceedings in Na.Ka.No.3205/2022/Aa2 and quash the impugned order dated 16.08.2023 as illegal and for a direction, directing the respondent Authorities to survey the land comprised in S.No.348/3 to identify the Plot measuring an extent of 2400 Square Feet, the subdivided



W.P.No.6079 of 2024

S.No.348/3A2, situated in No.143, Athipattu Villlage, Athipattu Village Panchayat, Minjur Panchayat Union, within the limits of Sub-Registration Office, Tiruvottiyur and Registration District of North-Chennai with the metes and bounds of the subdivided Plot in S.No.348/3A2 and issue patta to the petitioner for the above property assigning the latest correct subdivided survey number.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent vide his proceedings in Na.Ka.No.3205/2022/Aa2 and to quash the impugned order dated 16.08.2023 as illegal and to direct the respondent Authorities to survey the land comprised in S.No.348/3 to identify the Plot measuring an extent of 2400 Square Feet, the subdivided S.No.348/3A2, situated in No.143, Athipattu Villlage, Athipattu Village Panchayat, Minjur Panchayat Union, within the limits of Sub-Registration Office, Tiruvottiyur and Registration District of North-Chennai with the metes and bounds of the subdivided Plot in S.No.348/3A2 and to issue patta to



W.P.No.6079 of 2024

the petitioner for the abovesaid property assigning the latest correct subdivided survey number.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the official respondents and perused the materials available on record.

3. Learned Additional Government Pleader appearing for the respondents submitted that third party interest is involved in the subject property and serious title dispute is pending between the parties. Hence the Revenue Authorities cannot give any solution to the petitioner. It is for the petitioner to approach the Civil Court for suitable remedy. Hence the Writ Petition may be dismissed.

4. The petitioner challenges the impugned order passed by the second respondent. If at all the petitioner is aggrieved with the order passed by the second respondent, he can file appeal before the concerned Revenue Divisional Officer. Since there is a civil dispute pending



W.P.No.6079 of 2024

between the parties, the petitioner either can approach the civil court for suitable remedy or if he feels that there is no title dispute and still he is aggrieved by the order passed by the second respondent, he can file appeal before the concerned Revenue Divisional Officer. The petitioner has got alternative efficacious statutory remedy. Without exhausting the alternative remedy, the petitioner has come to this Court. Hence the petitioner cannot invoke Article 226 of the Constitution of India. It is for the petitioner to either challenge the order of the second respondent before the Revenue Divisional Officer or approach the Civil Court.

5. In view of the above, the Writ Petition dismissed. There shall be no order as to costs.

07.03.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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W.P.No.6079 of 2024

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W.P.No.6079 of 2024

P.VELMURUGAN, J.

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W.P.No.6079 of 2024

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