



W.P.No.8112 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.8112 of 2024

J.Logeshwari

... Petitioner

versus

1.The Sub-Collector,
Ponneri Sub-Division,
Tiruvallur District.

2.The Tahsildar,
Gummidipoondi Taluk,
Tiruvallur District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, call for the records relating to the impugned proceedings in Na.Ka.No.3325/2023/B2 dated 07.03.2024 passed by the second respondent and quash the same and direct the second respondent to issue Patta to the petitioner.

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For Petitioner : Mr.D.Ashok Kumar
For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

Mr.S.J.Mohamed Sathik, learned Government Advocate accepts notice for the respondents. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to quash the impugned proceedings in Na.Ka.No.3325/2023/B2 dated 07.03.2024 passed by the second respondent and consequently direct the second respondent to issue Patta in the name of the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner has given several representations to the revenue officials including the



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second respondent herein for issuance of separate Patta in the name of the petitioner, but they did not take any action. Thus, the petitioner has made a representation to the first respondent/Sub Collector, Tiruvallur on 25.07.2023 and the first respondent by his proceeding dated 19.10.2023 directed the second respondent to issue separate Patta in the name of the petitioner in respect of the subject property. Despite the directions of the first respondent, the second respondent passed the impugned order dated 07.03.2024, rejecting the claim of the petitioner. Aggrieved by the same, the present writ petition has been filed.

4. On a perusal of the records, it is seen that the first respondent by order dated 19.10.2023 directed the second respondent to issue Patta in the name of the petitioner, after scrutinizing the documents to be produced by the petitioner and after sub-division of the property. It is to be noted from the impugned order dated 07.03.2024 that at the time of conducting survey of



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the subject land, the second respondent found that third parties have put up a hut in a portion of the property and they are in possession. Further, there is no pathway as mentioned in the document. Therefore, only after the petitioner takes possession and specifically mentions the boundaries as per the sale deed, Patta can be issued after sub-division of the property.

5. It is seen that the second respondent has already complied with the directions of the first respondent and passed the impugned order on 07.03.2024. If at all the petitioner is aggrieved with the order of the second respondent, he has to file an appeal before the first respondent. Since the petitioner has got an alternative remedy to approach the first respondent by way of filing an appeal, this Court is not inclined to entertain this writ petition. However, the petitioner is at liberty to work out his remedy in the manner known to law.



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6. In view of the above, this writ petition is dismissed. There shall be no order as to costs.

26.03.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No
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To

1.The Sub-Collector,
Ponneri Sub-Division,
Tiruvallur District.

2.The Tahsildar,
Gummidipoondi Taluk,
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