



WEB COPY



W.P.No.28993 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2024

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.28993 of 2024

S.R.M.Ramaswamy
...Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Udayarpalayam - 621 804.
2. The Tahsildhar,
Taluk Office, Jayankondam - 621 802,
Ariyalur District.
3. Mariyappan
...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Ceriorarified Mandamus, to call for records reliability to the proceeding of the second respondent in his proceeding No.Na.Ka.Aa.1/11316/2014, dated 07.06.2015 and quash the same consequently directing the second respondent to issue fresh patta in favour of the petitioner.

For Petitioner : Mr.A.Muruganandam
For R1 & R2 : Mr.A.M.Ayyadurai



WEB COPY



W.P.No.28993 of 2024

Government Advocate

ORDER

Aggrieved by the order passed by the second respondent refusing to grant patta in favour of the petitioner in respect of the property situated in Survey No.390/4, the petitioner has come by way of this writ petition.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents 1 & 2, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that his father purchased 8 1/2 cents in in S.F.No.390/4 at Keeraikudikadu Village, Kodali Karuppur, Udayarpalayam Taluk, Ariyalur District under the registered sale deed dated 10.08.1970. The petitioner's father died on 01.09.1990. Thereafter, the petitioner inherited the subject property and is in possession and enjoyment of the same. He submitted a representation seeking patta in his name and the same was rejected by the second respondent on the ground that he was not in physical possession of the property and he claimed patta only based on the title deed. Challenging the same, the petitioner is before this court.



WEB COPY



W.P.No.28993 of 2024

4. If the petitioner is aggrieved by the order passed by the second respondent rejecting the application submitted by the petitioner seeking issuance of patta, he is entitled to file an appeal before Revenue Divisional Officer. Without exhausting the same, the petitioner has straight away approached this court by way of this writ petition.

5. In view of the availability of the alternative remedy of appeal, this Court is not inclined to interfere with the order impugned herein. Accordingly, this writ petition is dismissed with liberty to file an appeal before the appellate authority viz., Revenue Divisional Officer concerned. The petitioner is entitled to raise all the points raised in this writ petition before the appellate authority.

No costs.

01.10.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
av



WEB COPY



W.P.No.28993 of 2024

S. SOUNTHAR, J.

av

To

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Udayarpalayam - 621 804.
2. The Tahsildhar,
Taluk Office, Jayankondam - 621 802,
Ariyalur District.

W.P No.28993 of 2024

01.10.2024

(1/2)