



WEB COPY



W.P.No.27903 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.27903 of 2024

and

WMP.No.30430 of 2024

Kadamban

...Petitioner

Vs.

- 1.The District Collector
Office of the District Collector
Cuddalore District.
- 2.The Revenue Divisional Officer
Virudhachalam
Cuddalore District.
- 3.Revenue Tahsildar
Veppur Taluk
Cuddalore District.
- 4.Ramu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the order bearing Na.Ka.No.A3/1856/2021 dated 28.02.2023 on the



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file of the third respondent to quash the same and consequently direct the third respondent to remove the name of the fourth respondent from the patta No.2279 issued in respect of the land in Survey No.453/4A1 in Sirupakkam Village, Veppur Taluk, Cuddalore District.

For Petitioner : Mr.M.Elumalai
For Respondents : Mr.A.Selvendran for R1 to R3
Special Government Pleader

ORDER

Aggrieved by the order passed by the third respondent in dismissing the application filed by the petitioner seeking to delete the name of the fourth respondent from the revenue records in respect of the property situated in S.No.453/4A1 at Sirupakkam Village, Veppur Taluk, Cuddalore District, the petitioner has come by way of this Writ Petition.

2. Admittedly, challenging the impugned order passed by the third respondent, the petitioner filed an appeal before the second respondent on 18.06.2024 in ID.No.TN/REV/CUD/I/MMCR/13AUG24/9586969 and the said appeal is still pending on the file of the second respondent. When the petitioner already availed alternative remedy before the second respondent, it



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is not open to him to maintain the Writ Petition challenging the very same order. Accordingly, this Court is not inclined to entertain the Writ Petition.

3. It is stated by the petitioner that taking advantage of the order passed by the third respondent, the fourth respondent is interfering with his possession. It is for the petitioner to file appropriate application seeking interim relief before the second respondent in the pending appeal. If any such application is filed with a prayer for interim relief, the same shall be considered and disposed of by the second respondent within a period of two weeks thereafter, on its own merits. The pending appeal shall be disposed of by the second respondent as expeditiously as possible within a period of 12 weeks from the date of receipt of copy of this order.

4. Hence, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

26.09.2024

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



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To

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S.SOUNTHAR, J.
dna

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