



Order dated 11.01.2024
in W.P.No.554 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.01.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.554 of 2024

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S.Sridhar, S/o Sampath

.. Petitioner

Vs.

The Thasildhar,
Arani Taluk, Arani,
Thiruvannamalai District.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari to call for the records of the respondent, dated 20.01.2023 bearing Sa.Mu.(AA3)/7756/2022 and quash the same.

For petitioner : Mr.K.Venkatasubban for M/s.Sarvabhauman Associates

For respondents: Mr.R.U.Dinesh Rajkumar, Addl.G.P.

ORDER

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Certiorari to call for the records of the respondent dated 20.01.2023, bearing Sa.Mu.(AA3)/7756/2022 and quash the same.

2. Learned counsel for the petitioner submitted that no notice was given

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and no opportunity of hearing was given to the petitioner before passing the impugned order and hence, there is violation of principles of natural justice.

3. However, in the impugned order, dated 20.01.2023, it is stated that the order was forwarded to the petitioner and also every opportunity of hearing was given. Even otherwise, if the petitioner is aggrieved by the impugned order, it is for the petitioner to file appeal, as appeal remedy is available before the concerned Revenue Divisional Officer under the Tamil Nadu Patta Passbook Act.

4. Therefore, when the petitioner has got appeal remedy and without exhausting the statutory appeal remedy, the petitioner cannot approach this Court straight-away, since the issue involved in this Writ Petition relates to issuance/transfer of patta. The Tamil Nadu Patta Passbook Act has clearly given the remedy open to the petitioner, as against the impugned order. Instead of filing appeal before the appropriate authority, the petitioner has filed the present Writ Petition. Hence, this Writ Petition is dismissed on the ground of availing the appropriate remedy under the said Act. Accordingly, the petitioner is at liberty to work out his remedy in the manner known to law. There shall be no order as to costs.

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Registry to return the original impugned order to the petitioner.
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To

The Thasildhar,
Arani Taluk, Arani,
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P.VELMURUGAN, J

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