



WP(MD)No.27460 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2024

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.27460 of 2024
and WMP(MD)No.23287 of 2024

Aruna M Visvesswar

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai – 624 020

2.The Tahsildar,
Madurai North Taluk,
Madurai.

3.The Zonal Deputy Tahsildar,
Sathamangalam,
Madurai.

4.The Commissioner,
Madurai Corporation,
Madurai.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of Certiorari to call for the records pertaining to the patta bearing No.2718 which stands in the name of the fourth respondent and quash the same as illegal, void and against natural justice.

For Petitioner	: Mr.J.Selvin Rajesh
For R1 to R3	: Mr.M.Muthumanikkam Government Advocate
For R4	: Mr.Aathimoola Pandian



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ORDER

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This Writ Petition is filed for issuance of writ of Certiorari to call for the records pertaining to the patta bearing No.2718 which stands in the name of the fourth respondent and quash the same as illegal, void and against natural justice.

2. The petitioner aggrieved by the transfer of patta in the name of the fourth respondent by the second respondent filed an appeal before the first respondent. The first respondent rejected the petitioner's appeal and therefore aggrieved by the impugned order of the first respondent, the petitioner filed the above writ petition for the aforesaid relief.

3. It is seen that the order passed by the first respondent is a revisable order under Section 13 of the Patta Passbook Act and the same is also recorded in the order. The petitioner without exhausting the alternative remedy provided under the Patta Passbook Act, 1983, has filed the Writ Petition bypassing the same. In the Writ Petition, the petitioner contrary to Section 13 of the Patta Passbook Act has stated that he has no alternative, efficacious and effective remedy.



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4. Without going into the merits of the matter, I am of the view that in the absence of any justification or reason to bypass the remedy available under the statute, this Writ Petition cannot be entertained at this stage.

5. Hence, this Writ Petition is dismissed with liberty to the petitioner to file a revision before the District Revenue Officer under Section 13 of the Patta Passbook Act within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

19.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM



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To,

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N.MALA,J.

CM

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