



W.P.(MD).No.27889 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD).No.27889 of 2024
and
W.M.P.(MD).Nos.23650 and 23651 of 2024

F.Michael Victor

... Petitioner

Vs.

- 1.The District Collector,
Kanniyakumari District,
Nagercoil.
- 2.The Deputy Director,
Ex-Servicemen Welfare Office,
Railway Feeder Road,
Kottar, Nagercoil - 629 002,
Kanniyakumari District.
- 3.The Revenue Divisional Officer,
Nagercoil,
Kanniyakumari District.
- 4.The Tahsildar,
Agasteeswaram Taluk,
Nagercoil,
Kanniyakumari District.
- 5.The Revenue Inspector,
Rajakkamangalam,
Agasteeswaram Taluk,
Kanniyakumari District.



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6.The President,
Kesavanputhenthurai Village Panchayat,
Pozhikarai,
Kanniyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 4th respondent dated 17.10.2024 under Na.Ka. No.Aa1/4815/2024 and to quash the same and to direct the respondents 1, 3 and 4 thereby considering long possession of the petitioner, who is an ex-serviceman, in respect of the lands to an extent of about 0.46.31 Ares, comprised in Dharmapuram South Revenue Village, Pozhikarai, Agasteeswaram Taluk, Kanniyakumari District, by ordering suitable orders for issuance of assignment/patta to the petitioner by considering the representation of the petitioner dated 30.09.2024.

For Petitioner	: Mr.G.Aravinthan
For R-1 to R-5	: Mr.S.Shaji Bino Special Government Pleader
For R-6	: Mr.S.R.A.Ramachandran Additional Government Pleader

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

By consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.



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2. Since an alternative remedy is provided under Section 10 of the Land Encroachment Act to file an appeal before the District Collector against any order passed by the Tahsildar, the present Writ Petition filed by the petitioner, without availing the alternative remedy, is not maintainable.

3. Hence, the Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(M.S.R.,J.) (A.D.M.C.,J.)
22.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

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and
A.D.MARIA CLETE,J.

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