



Writ Petition No.7747 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.7747 of 2025

B.Karthikeyan
S/o.P.Balashanmugam

... Petitioner

Vs.

1.The Tahsildar,
Perambur Taluk Office,
Chennai - 600 039.

2.R.Abaranji
W/o.Late S.K.Rajarathinam

3.R.Nirmala
D/o.Late S.K.Rajarathinam

4.R.Kannan
S/o.Late S.K.Rajarathinam

5.S.Rajendran
S/o.R.Subramani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the order of the first respondent dated 16.10.2024 bearing Na.Ka.No.Aa1/2783/2024 and to quash the same as illegal and consequently, direct the first respondent to issue a patta in favour of the petitioner for the property consisting the land with building measuring 1200 sq.ft. comprised in Block No.11 Ward No.001 Old S.No.59, New



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T.S.No.43/1 situated at Sembium Town, Perambur Taluk, Chennai District within any reasonable time.

For Petitioner : Mr.S.R.Karthikeyan

For Respondents : Mr.P.Sathish
Additional Government Pleader [R1]

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 16.10.2024 and for a consequential direction to the first respondent to issue patta in favour of the petitioner with respect to the subject property.

2. Heard Mr.S.R.Karthikeyan, learned counsel for the petitioner and Mr.P.Sathish, learned Additional Government Pleader appearing for first respondent.

3. The petitioner has straight away approached this Court by filing a writ petition under Article 226 of the Constitution of India mainly on the ground that the order passed by the first respondent suffers from non-application of mind and that the first respondent did not properly appreciate the documents that were placed and has gone into the title of the property, which is beyond the jurisdiction of the first respondent.



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4. In the considered view of this Court, the petitioner has an efficacious alternative remedy by way of an appeal before the Revenue Divisional Officer under Section 12 of the Patta Passbook Act. Therefore, whatever grounds are raised in the present writ petition can always be raised before the appellate authority. This Court is not inclined to exercise its discretion in the instant case and it is left open to the Revenue Divisional Officer to deal with the matter. It is left open to the petitioner to file an appeal before the Revenue Divisional Officer within a period of two weeks and on receipt of the same, the Revenue Divisional Officer shall issue notice to all the interested parties concerned and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of the appeal from the petitioner.

This writ petition is disposed of in the above terms. No costs.

10.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

N.ANAND VENKATESH, J

gm

To

The Tahsildar,



Perambur Taluk Office,
Chennai - 600 039.

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